

ST. CHARLES PARISH  
PLANNING BOARD OF COMMISSIONERS  
AUGUST 6, 2015  
7:00 P.M.

**CALL TO ORDER**  
**PLEDGE OF ALLEGIANCE**

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**TABLED CASE:**

**1 PZR-2015-17**

Requested by: Joshua & Mariangelis Billings for a change in zoning classification from R-1AM to R-1M at 316 Canal Street, Luling, (Lot BY-1), Council District 7. **REQUEST BY APPLICANT TO REMAIN ON THE TABLE.**

**PUBLIC HEARINGS:**

**11 PZHO-2015-09**

Requested by: Roland Salazar for a home occupation – “Roland and Sons Home Improvements, LLC” at 301 St. John St., Luling. Zoning District R-1A. Council District 7. **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council on September 8, 2015**

**15 PZR-2015-16**

Requested by: TuJack G. Hoover for a change in zoning classification from C-3 TO M-1 at 13840 Old Spanish Trail, Boutte. Council District 4. **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council on September 8, 2015**

**21 PZR-2015-18**

Requested by: Houston Energy for a change in zoning in zoning classification from R-1A to OL (Open Land) at approx. 3 acres of property in Section T13S R21E, Sec. 43, Luling, LA. Council District 2 **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council on September 8, 2015**

**29 PZSPU-2015-16**

Requested by: Houston Energy for a Special Permit Use for Mineral Extraction to construct a board road and prospect for gas via conventional rig and drill pad at approx. 3 acres of property in Section T13S R21E, Sec. 43, Luling, LA. Proposed Zoning OL (Open Land) Council District 2. **This request requires Planning Commission approval only.**

**38 PZSPU-2015-17**

Requested by: Cecil Sumners for a Special Permit Use for Mineral Extraction and to repurpose borrow pit excavations into lakes. Zoning District OL. Council District 4. **This request requires Planning Commission approval only.**

**42 PZSPU-2015-18**

Requested by: Chad Worth for a special permit use to place Plumbing Shop at 11 Storehouse Lane, Destrehan, La. Zoning District C-2. Council District 3. **This request requires Planning Commission approval only.**

**46 PZS-2015-29**

Requested by: Josie & Terry Authement for Resubdivision of Parcel A (which includes original Lots 1, 2, 3, & 4, Blk. 11 and original Lots 10, 11 & 12, Blk. 14) Angel Park addition to Mosella Townsite Subdivision and original Lot 9, Blk. 14 into Lots A1, A2, 3A, 4A & 9B, 200 Ruth St. and 102 Angel Drive, Mosella. Zoning District R-1A. Council District 4. **This request requires a recommendation from the Planning Commission and approval from the Council. Forward to Council on September 8, 2015**

**OLD BUSINESS**

**NEW BUSINESS – Discussion of Resolution 3771**

**MINUTES – July 9, 2015**

**ADJOURN**

# St. Charles Parish

## Department of Planning & Zoning

### LAND USE REPORT

**CASE NUMBER: PZR-2015-17**

#### GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicant:** Joshua Billings  
136 Billings Lane  
Paradis, La 70080  
504.615.6015
- ◆ **Location of Site:** Lot BY-1; 316 Canal Street, Luling
- ◆ **Requested Action:** Rezone from R-1AM to R-1M to establish an RV park

**Application Date: 6/5/15**

#### SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel:** Approximately 4.699 acres.
- ◆ **Existing Land Use and Zoning:** The property currently is zoned R-1A(M) and is developed with a single-family house.
- ◆ **Surrounding Land Uses and Zoning:** To the west, property is zoned R-1A(M) but wooded and vacant; to the south, property is zoned R-1A(M) and developed with two churches. To the southeast, property is zoned R-1A(M) and developed with a mobile home on two-acre lot. Due east, the 573' long line of the lot abuts an R-1M zoning district developed with mobile homes on individual lots.
- ◆ **Future Land Use Recommendations:** The Future Land Use Map (FLUM) includes the property in the Paul Maillard Road mixed-use corridor. The Paul Maillard Road Revitalization Plan recommends the specific use of moderate density residential. A rezone to R-1M would require a FLUM amendment and would be inconsistent with the recommendations of the Paul Maillard Road Revitalization Plan.
- ◆ **Utilities:** Standard utilities are available along Canal Street.
- ◆ **Traffic Access:** Canal Street is less than 1/4 mile from Paul Maillard Road (a state highway) and intersects Paul Fredrick Street (a local street that offers a secondary access to Paul Maillard Road via Hackberry Street). Canal Street is substandard, however, terminating at a drainage canal with no turn around facilities. Should the proposed zoning change be approved, the developer should be required to develop turn-around facilities for vehicles towing RVs.

#### APPLICABLE REGULATIONS

##### Appendix A., Zoning Ordinance, Section IV.9:

Rezoning Guidelines and Criteria: Before the Planning & Zoning Commission recommends or the Parish Council rezones property, there should be reasonable factual proof by the proponent of a change that one or more of the following criteria are met:

1. Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:
  - a. Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.
  - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.

- c. Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.
2. The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:
  - a. Undue congestion of streets and traffic access.
  - b. Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.
  - c. Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.
  - d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.
3. The proposed zoning change is in keeping with zoning law and precedent, in that:
  - a. It is not capricious or arbitrary in nature or intent.
  - b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.
  - c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.
  - d. It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

**AND:**

**R-1M. Manufactured home/recreational vehicle (RV) park:**

*Policy statement:* This district is established to allow single-family residential usage of manufactured housing and recreational vehicles (RV) in a specially designed community or park with public and private amenities provided by the park developer as opposed to the park tenants. This district will allow a greater density of single-family residences to locate in an aesthetically pleasing environment by requiring certain spatial and buffer requirements.

1. Use Regulations:
  - a. A building or land shall be used only for manufactured home and RV parks and accessory uses.
  - b. Special exception uses and structures include clubhouses, laundry facilities, rental offices, managers' homes, and/or accessory recreational facilities for park residents only.
2. Special permit uses:
  - a. Include RV parks of one-half acre provided that the Special Provisions for RV Parks [subsection 4 below], other than the minimum site requirement, are met.
  - b. Private commercial access roads, upon review by the Planning Commission and supporting resolution of the Council. (Ord. No. 92-10-9, § IV, 10-5-92)
3. Spatial Requirements: Shall conform to the Manufactured Home Park or RV Park regulations and design standards outlined as Special Provisions [subsection 4] below.
  - a. Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, notwithstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999. (Ord. No. 08-8-9, § VI, 8-18-08)
4. Special Provisions: Shall conform to either the Manufactured Home Park or [or] RV Park regulations and design standards noted below as they pertain to the total park use.

Manufactured home park:

- a. Location, space and general layout:
  - (1) The manufactured home park shall be located on a well-drained site [and] shall be so located such that its drainage will not endanger adjacent property and water supply.
  - (2) Any lot or portion of ground proposed to be used for a manufactured home park shall have sufficient frontage for construction of entrances and exits properly designed for safe movement of park traffic.
  - (3) Each manufactured home space shall contain a minimum of three thousand one hundred fifty (3,150) square feet, shall be at least thirty-five (35) feet wide and eighty (80) feet long, and shall have its boundaries clearly defined. The space shall abut on an access drive which shall have unobstructed access to a public street or highway.
  - (4) A patio slab of at least one hundred eighty (180) square feet shall be provided on each manufactured home lot and conveniently located at the entrance of each manufactured home.
  - (5) A minimum site of two (2) acres is required for a manufactured home park.
  - (6) Manufactured homes shall be parked on each space to conform to the following minimums:
    - (a) Twenty-five (25) feet clearance between coaches. (Ord. No. 06-2-9, § I, 1-20-06)
    - (b) Five (5) feet clearance between each coach and its respective site line.
    - (c) Ten (10) feet between coaches and any adjoining property lines.
    - (d) Twenty (20) feet between coaches and any public street right-of-way.
    - (e) Twenty-five (25) feet between coaches and any building or structure not used for accessory purposes.
    - (f) Accessory buildings must be a minimum of ten (10) feet from any manufactured home.

[b. Reserved.]

- c. Parking: Sufficient paved parking shall be provided for the parking of at least one (1) motor vehicle for each manufactured home space plus an additional paved parking space for each three (3) lots to provide for guest parking for two (2) car tenants and for delivery and service vehicles.
- d. Recreation: Not less than ten (10) percent of the gross area of the manufactured home park is to be set aside, designed, constructed and equipped as a recreational area. Recreation area design and equipment shall be approved by the St. Charles Parish Recreation Department Director.
- e. Transportation system: All streets and access drives within the manufactured home park shall be constructed to required parish specifications as outlined in Subdivision Regulations [appendix C].
- f. Sewage Disposal: Each manufactured home site shall be provided with a sanitary sewer connection, and each manufactured home park shall be provided with a collection and treatment system and public water supply in compliance with the standards of the Parish Health Unit and the State Health Department.
- g. Garbage: If garbage hoppers are to be provided, then two (2) shall be provided for each twenty (20) manufactured home sites, and each hopper shall be screened from view by wood or masonry fencing.
- h. Screen fences, walls and buffer screening: Fences should be installed where necessary for screening purposes such as around outdoor areas, laundry yards, refuse collection points and playgrounds. A six (6) feet opaque fence or masonry wall shall border the park, and there shall be a buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones.
- i. General: Individual manufactured home sites may be leased or rented but not subdivided or sold.
- j. All improvements required in this section must be completed prior to the placement of any manufactured home on the site.

#### RV Park:

- a. Location, space and general layout:
  - (1) The RV park shall be located on a well-drained site [and] shall be so located such that is [its] drainage will not endanger adjacent property and water supply.
  - (2) Any lot or portion of ground proposed to be used for an RV park shall have sufficient frontage for construction of entrances and exits properly designed for the safe movement of park traffic.
  - (3) Each RV space shall contain a minimum of fourteen hundred (1,400) square feet, shall be at least thirty-five (35) feet wide, and shall have its boundaries clearly defined. The space shall abut on a driveway.
  - (4) A minimum site of one (1) acre is required for an RV park.
  - (5) RV's shall be parked on each space to conform to the following minimums:
    - (a) Twenty-five (25) feet clearance between RV's. (Ord. No. 06-2-9, § I, 2-20-06)
    - (b) Five (5) feet clearance between each RV and its respective site line.
    - (c) Ten (10) feet between RV's and any adjoining property lines.
    - (d) Twenty (20) feet between RV's and any public street right-of-way.
    - (e) Twenty-five (25) feet between RV's and any building or structure not used for accessory purposes.
    - (f) Accessory buildings must be a minimum of ten (10) feet from any RV.
- b. Parking: Sufficient area shall be provided for the parking of at least one (1) motor vehicle for each RV space plus an additional car space for each three (3) lots to provide for guest parking, two (2) car tenants and for delivery and service vehicles.
- c. Transportation system:
  - (1) Streets and access drives: All streets and access drives within the RV park shall be constructed to required parish specifications as outlined in subdivision regulations [appendix C].
  - (2) Driveway: All driveways within the RV park shall be designed and surfaced with appropriate materials which will provide adequate and safe means of transit for park residents.
- d. Recreation: Not less than ten (10) percent of the gross area of the RV park is to be set aside, designed, constructed and equipped as a recreational area. Recreation area design and equipment shall be approved by the St. Charles Parish Recreation Department Director.
- e. Utilities: Each RV site shall be provided with a sanitary sewer connection, and each RV shall be provided with a collection and treatment system and public water supply in compliance with the standards of the Parish Health Unit and the State Health Department.
- f. Garbage: If garbage hoppers are to [be] provided, then two (2) shall be provided for each twenty (20) RV sites, and each hopper shall be screened from view by wood or masonry fencing.
- g. Screen fences, walls and buffer screening: Fences should be installed where necessary for screening purposes such as around outdoor areas, laundry yards, refuse collection points and playgrounds. A six (6) feet opaque fence or buffer strip ten (10) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones.
- h. General: Individual RV sites may be leased or rented but not subdivided or sold.
- i. All improvements required in this section must be completed prior to the placement of any RV on the site. (Ord. No. 82-6-9, § 1, 6-7-82; Ord. No. 87-1-14, 1-5-87)

## ANALYSIS

The applicant requests a rezone of a 4.7 acre parcel to develop a recreational vehicle (RV) park. The parcel currently is developed with a single-family house roughly in the middle. Originally a 4.7 acre tract measuring 103' wide on Canal Street by 2007' feet to an Entergy right of way, the previous owner completed a boundary adjustment/land swap/resubdivision in 2005 that widened a portion of the property

transferring the northernmost 575' for an equal area of land adjacent to the east to create Lot BY-1. The applicant purchased Lot BY-1 in May 2015.

Lot BY-1 exceeds the minimum one acre requirement, and the applicant has submitted a site plan showing the house to remain as a manager's home/office, two washaterias/bath houses, two large recreation areas, and 38 RV slots measuring 35 feet by x 40 feet and accessed by a 16 foot wide gravel driveway.

Current design standards for a recreational vehicle park require a minimum 10 per cent of the site for recreation, and each RV slot must be at least 35 feet wide and 1,400 square feet in area. Each RV slot must open directly onto a driveway and provide one passenger vehicle parking stall; one additional parking stall must be provided for every three RV slots; however, with 35 feet of width and 1,400 square feet, each slot is usually wide and deep enough to provide parking for two to three passenger vehicles, making additional parking areas unnecessary. Gravel is an acceptable surface for the driveway and parking stalls. Considering the standards, the following development scenarios should be considered for a rezoning request:

- the absolute maximum number of RV slots that could be permitted on the site is 131:  
 $(204,732 \text{ sf parcel} - 10\% \text{ open or recreation area}) / 1400 \text{ sf per slot} = 131$
- Sixty (60) RV slots could be arranged in an orderly fashion considering the 35' RV slot width:  
 $1433' \text{ long side} / 35' = 40$ ;  $202' \text{ rear} / 35 = 5$ ;  $573' \text{ long side} / 35' = 15$ ;  $[40+5+15= 60]$
- Fifty (50) RV slots feasible:  
Considering the lot dimensions and the single-family house currently in the center of the property

In order to receive a recommendation for approval, a rezoning request must meet all the criteria of at least one of three tests. The Department finds that this request **fails all three tests**.

The first test is designed to provide relief when the land use pattern or character of the area has changed to the extent that the existing zoning no longer allows reasonable use of the property. Reasonable use is defined as land use the same as or similar to existing property next to or across the street—which currently is religious institutions to the front and rear. The current R-1A(M) zoning allows this use as a Special Permit. To the east property is zoned R-1M, but developed with single-family mobile homes on 5,000 square foot lots, which is permitted on the subject property under the current R-1A(M) zoning.

This test requires consideration of unique characteristics of the subject property. With a width on Canal Street of 101 feet, it is unlikely that Lot BY-1 itself could be developed with a street and R-1A(M) lots, but this situation is not unique. Long, narrow lots exist all over the Parish. Developers often must assemble several properties to develop subdivisions. In 2005, the previous property owner started adding width to the property. Although this individual property is not perfectly suited to develop an R-1A(M) subdivision, the zoning does not prevent development to R-1A(M) standards. The zoning is meant to encourage certain use of the land consistent with the larger neighborhood—which is single-family residential at a commercial node (Canal Street).

Land use changes occurring in the larger area should be considered when evaluating this rezoning request. The subject property is situated between an area showing the highest levels of residential growth in the Parish over the last five years, and an area that shows signs of decline. These dynamics make it a challenge to evaluate the proposed change under this test—site-built single-family development is occurring near the site to the west and southwest. However, R-1M zoning exists adjacent to the east and is developed with mobile homes that generate complaints and code enforcement violations at increasing rates. This suggests the area abutting *immediately* to the east is in decline. A zoning change to R-1M on the subject property may discourage the single-family residential development occurring near the area to help stem the decline that is also occurring in the area. **For this reason, the request fails the first test.**

The second test is designed to protect the public interest by preventing congestion and overburdening of public infrastructure and utilities, by ensuring compatible land uses, and maintaining a balance of particular zoning districts in proportion to the population. While the proposed zoning change may not overburden public facilities, recreational vehicle parks are not compatible with the surrounding residential neighborhood. **For this reason, the request fails the second test.** Representatives of waterworks indicate the system can accommodate any of the potential development scenarios; likewise, the transportation system in the area provides good connectivity; Canal Street is less than 1/4 mile from Paul Maillard Road (a state highway) and intersects Paul Fredrick Street (a local street that offers a secondary

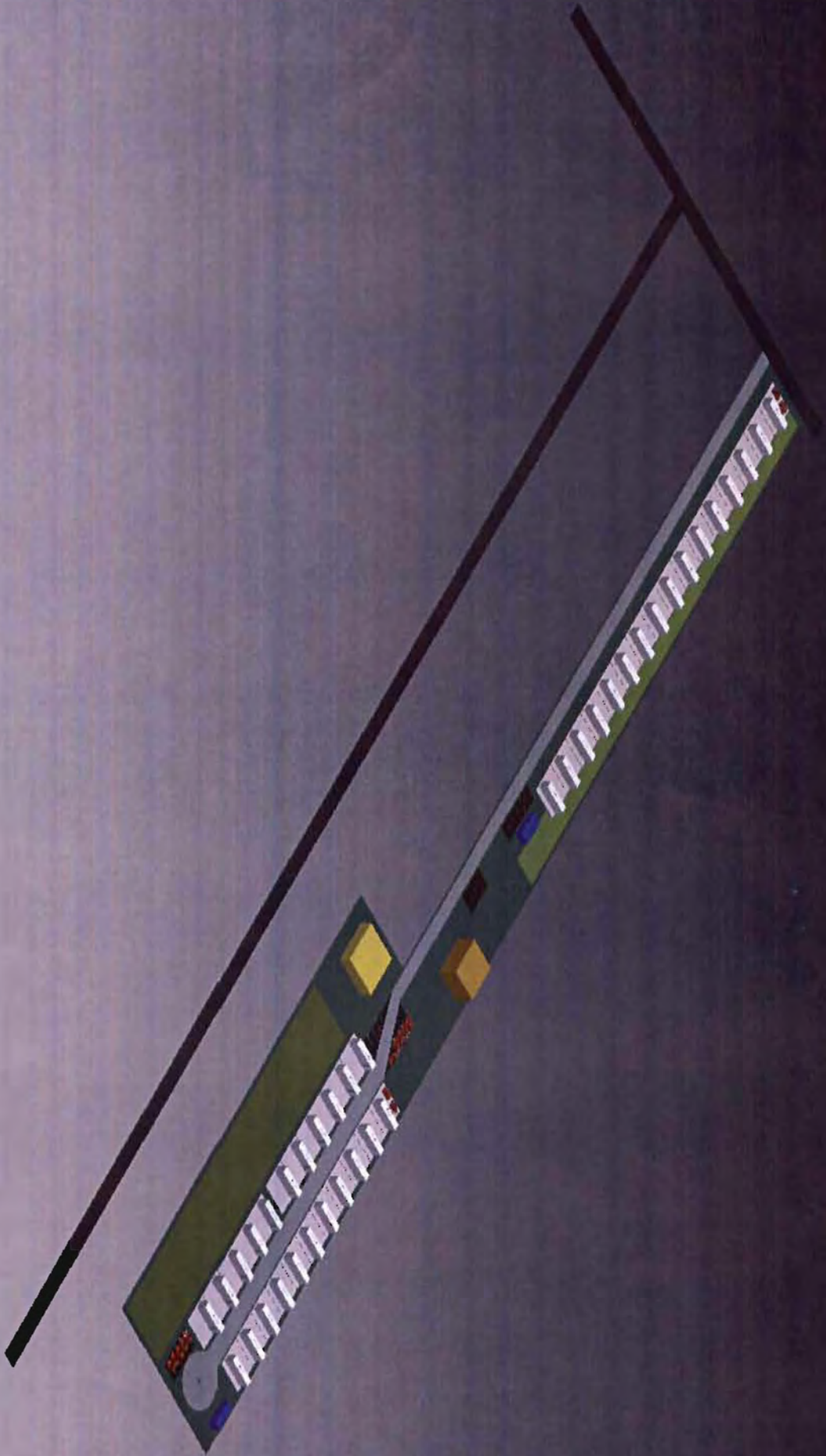
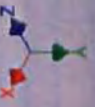
access to Paul Maillard Road via Hackberry Street). Canal Street is substandard, however, terminating at a drainage canal with no turn around facilities. Should the proposed zoning change be approved, the developer should be required to develop turn-around facilities for vehicles towing RVs. Representatives of wastewater are reviewing the potential development scenarios to ensure the sewer facilities can accommodate.

The third test is designed to evaluate the proposed request with zoning law and precedent and to prevent spot zoning which may adversely affect the normal maintenance and enjoyment of adjacent properties. Adjacent properties are vacant and wooded to the west, religious to the north and south, and residential mobile homes to the east. The adjacent residential mobile homes are within an R-1M zoning district, but are nonconforming in that they are not a "specially designed community or park with public and private amenities provided by a park developer." For that reason, the Paul Maillard Road Revitalization Plan (PMRRP) recommends rezoning the R-1M district abutting the subject site from R-1M to R-1A(M). The PMRRP was an 18 month long planning process with robust public input. The plan found that 79% of the housing units served by the Paul Maillard Road corridor are owner-occupied. That rate is approximately 5% lower than the Parish average, but is high enough to be a strength in the area that should be supported. A specific recommendation of the plan is to "Increase the number of home owners and home ownership opportunities" (PMLU #7). R-1A(M) is the appropriate zoning district to encourage home ownership rates in the community. An immediate step the plan recommends is to "propose a change to R-1AM zoning for the existing R-1M zoning district in the study area" (PMLU 2.2.1). **For these reasons, the request fails the third test.**

This analysis considers the effect that rezoning Lot BY-1 from R-1A(M) to R-1M and developing an RV park may have on the neighborhood around it. Although residential housing development is not occurring immediately adjacent to the property, the highest rates of housing starts in the Parish in recent years occurred in the census tract that this property is located in. The community's interest in increasing homeownership opportunities and rates in the area reflected in the Paul Maillard Road Revitalization Plan suggest that a change of zoning to accommodate an RV park seems to ignore the changing land use character that could benefit the area. As the Paul Maillard Road Revitalization Plan recommends, the R-1M zoning in the area should not be expanded; it should be changed to R-1A(M) to help stem the decline in the immediate area.

**DEPARTMENTAL RECOMMENDATION**  
**Denial.**

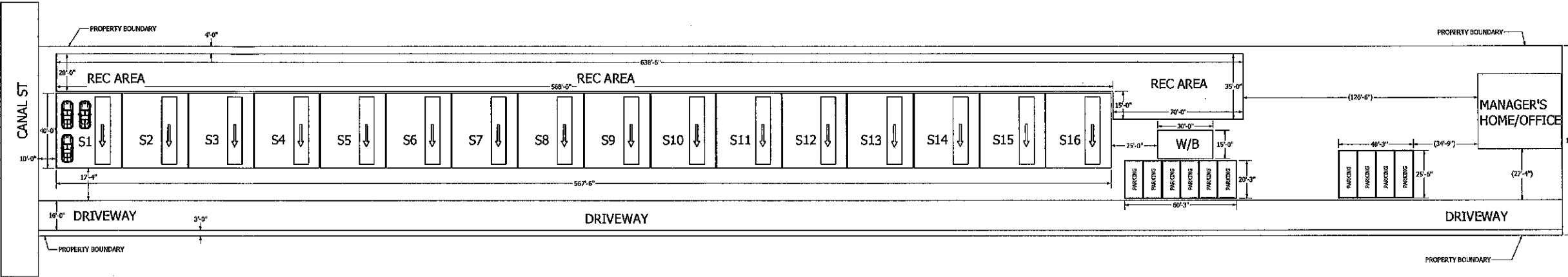








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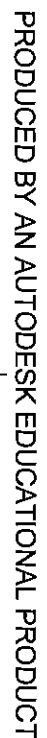


DETAIL A  
SCALE 1 / 250

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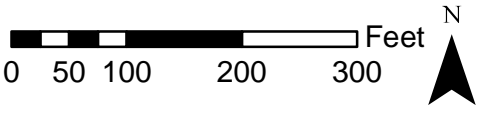
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DESIGN	4/28/2015	TITLE	
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		whole_property_Tier3	
		Sheet 2 of 3	



ORIGIN Josh CHECKED	4/29/2015		
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WFG			
APPROVED			
		SITE E	OWB NO whole_property_Tier3
		SCALE	SHEET 3 OF 3







St. Charles Parish

Department of Planning & Zoning

LAND USE REPORT

CASE NUMBER: HO 2015-09

GENERAL APPLICATION INFORMATION

- ◆ Name/Address of Applicant:

Application Date: 7/2/15
- Roland Salazar
- 301 St. John Street
- Luling, LA 70070
- 504.338.3667 / Rawhide4242@yahoo.com
- ◆ Business: Roland and Sons Home Improvements, LLC

SITE – SPECIFIC INFORMATION

- ◆ Existing Land Use and Zoning: Single-family residence in an R1-A zoning district.
- ◆ Surrounding Land Uses and Zoning: The majority of the surrounding area is zoned R-1A developed with single family houses. Across Lone Star Canal to the southeast, an apartment complex is zoned R3.



- ◆ Traffic Access and parking: Site is a corner lot accessible by St. John Street and West Heather Drive. The vehicles associated with the business are pictured below;



## **APPLICABLE REGULATIONS**

**Regulations for Home Occupations: Appendix A. Section XXII (The application date of 7/2/2015 predates ordinance 15-7-5 (Zoning Code update))**

### **B. Permit Process:**

1. **Pre-Application Orientation:** The Planning Director, or his designated staff, shall advise citizens of the regulations for home occupations such as appropriate activities for home occupations, operational regulations, and consequences for violating operational regulations. The Planning Director, or his designated staff, shall determine whether the premises to be permitted is in compliance with the St. Charles Parish code of Ordinances, or what measures must be taken to bring the premises into compliance prior to consideration of an application for a home occupation permit.
2. **Application:** A citizen who proposes appropriate activities at a residence that is not under citation for violation of this Code may apply for a permit for a home occupation. The fee shall be two hundred dollars (\$200.00). The applicant will agree to follow operational regulations. When an applicant does not own the subject property, the applicant must provide notarized endorsement of the application by the property owner.
3. **Departmental Review:** The Planning Director, or his designated staff, shall determine whether the proposed activity complies with the operational regulations of this section. The operational regulations are a guideline.
4. **Public Notice and Comment:**
  - a. Once the Planning Director has determined that the proposed activity meets the general parameters of this code and the operational requirements of this section, the property shall be posted for ten (10) days with a sign stating that the resident has applied for a permit to operate a home occupation and that the Department of Planning and Zoning will receive and record public comment on the application for the same ten (10) calendar days.
  - b. A copy of the application shall be forwarded to the District Councilman and both Councilman-At-Large.
5. **Determination:** The Planning Director shall consider the nature of the home occupation, the operational regulations, the relationship of the proposed home occupation to neighboring properties, requirements for state permits and licenses, and take one of the following actions:
  - a. Issue a Home Occupational Permit with or without written conditions, for those occupations that do not require state permit or license.
  - b. Forward applications requiring state permits or licenses along with a recommendation of the Department to the Planning and Zoning Commission for public hearing and recommendation and to the Parish Council for public hearing and decision.
  - c. Deny the application.

### **C. Operational Regulations:**

1. All products produced for sale must be hand manufactured or grown on the premises using only hand tools or domestic mechanical equipment. Such domestic mechanical equipment shall not exceed two (2) horsepower per piece of equipment, and the sum total of all such equipment shall not exceed six (6) horsepower. A single kiln shall not exceed eight (8) kilowatts or the equivalent in a gas-fired fixture.
2. All sales of products, including those produced or grown on the premises, and the performance of all services shall take place off the premises. However, the Planning Director may permit on-premises sales or the performance of services as a condition of a home occupation permit when it may be found that such sales or services will not produce any detrimental effects upon the surrounding neighborhood. This may include but is not limited to snowball stands, tax and legal services. The Department may impose conditions regulating the duration, scope, and size of operation.
3. There shall be no signs posted which indicate the existence of the home occupation.
4. No licensed vehicle in excess of one (1) ton (manufacturer's rating), and no more than one (1) licensed motorized vehicle, shall be utilized by any resident of the premises in connection with the home occupation. (Ord. No. 03-8-11, § I, 8-18-03)
5. Only the residents of the premises shall be engaged in the home occupation.
6. There shall be no outdoor storage of materials or products on the premises except as otherwise permitted by the Planning Director. Indoor storage of material or products shall not exceed twenty (20) percent of the gross floor area of the dwelling.
7. Home occupations, except for horticultural uses, shall be conducted only within a structure on the premises.
8. The home occupation shall not eliminate required off-street parking.
9. The home occupation shall not cause any external effect associated with the home occupation, such as increased noise, excessive traffic, excessive lighting, or offensive odor, which is incompatible with the characteristics of the residential zone, or in violation of the revisions of any applicable governmental code. There shall be no illegal discharge of materials, fluids, or gases into the sewer system, or any other manner of discharging such items in violation of any applicable governmental code.
10. The resident or residents engaged in the home occupation shall possess a current St. Charles Parish Occupational License and health certification from the Parish Health Unit when required. An inspection approval from the State Fire Marshal shall be required when any food preparation requiring ovens or stoves, mechanical equipment, a simple kiln, or gas-fired fixture are necessary for production.
11. Home occupation activities which include the manufacture, sale, or repair firearms (or any related commercial activity) shall be prohibited in R-2 and R-3 residential zoning districts, and shall be additionally prohibited on residentially zoned lots which contain more than one dwelling unit. (Ord. No. 96-7-4, 96-7-4)

- 12. No alcoholic beverages shall be sold or provided in connection with the operation of a home occupation. (Ord. No. 98-8-1, 8-3-98)
- 13. Home occupation permit holders shall provide annual evidence of valid occupational licensing as issued by the St. Charles Parish Sheriff's Office. Evidence of occupational licensing shall be provided to the Department of Planning and Zoning by March 31st of each calendar year. (Ord. No. 98-8-14, 8-17-98)

**FINDINGS**

Mr. Salazar wishes to use his residence as the domicile for Roland and Sons Home Improvements, LLC, a home improvement contractor. The property owner, Kim Laque, has endorsed the application. The business requires registration with the Louisiana State Licensing Board for Contractors.

Business activities at the house will be limited to office work. Construction materials will be delivered to and stored at job sites; tools generally are stored in a work truck; larger equipment is stored on a trailer that will be parked out of view of neighbors and passing vehicles. The business will not generate traffic to the residence. At the time of writing this report, the applicant has been advised that no signage advertising the business can be visible on the property—a yard sign observed on 7/15/2015 will have to be removed.

The proposed business meets the general parameters of the home occupation regulations.

**DEPARTMENT RECOMMENDATIONS**

Approval.







# LAND USE REPORT

## CASE NUMBER: PZR 2015-16

<p>◆ <b>Name/Address of Applicant:</b>          TuJack Hoover          3776 Tulane Dr          Kenner LA 70065</p> <p>◆ <b>Location of Site:</b>          13840 Old Spanish Trail</p> <p>◆ <b>Requested Action</b>          Rezone from C-3 to M-1</p> <p>◆ <b>Purpose of Requested Action</b>          Maintain Existing Use: Wood Lot, Parking Company Trucks (private use only)</p>	<p><b>Application Date: 5/11/15</b></p>
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- ◆ **Size of Parcel**  
21.7 acres
- ◆ **Existing Land Use and Zoning**  
C-3
- ◆ **Surrounding Land Uses and Zoning**  
R-3 to east vacant,  
C-3 to south, Abuts railroad  
C-3 to north and west, vacant.
- ◆ **Traffic Access and Parking**  
Pit Road, Old Spanish Trail.
- ◆ **Plan 2030 Recommendations:**  
*Commercial*

1. Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:
  - a. Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.
  - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
  - c. Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.
2. The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:
  - a. Undue congestion of streets and traffic access.
  - b. Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.
  - c. Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.
  - d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.
3. The proposed zoning change is in keeping with zoning law and precedent, in that:

- a. It is not capricious or arbitrary in nature or intent.
- b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.
- c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.
- d. It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

**Appendix A, Zoning Ordinance: M-1 Light manufacturing and industry district:**

M-1 Light manufacturing and industry district:

1. Use Regulations: A building or land may be used for the following purposes if in accordance with the special provisions outlined below.

a. A building or land shall be used only for the following purposes:

- (1) Those uses identified as items 2 through 27 as listed in the C-3 District.
  - (2) Office parks which shall include groups or clusters of administrative, professional, and other business offices as well as individual banks and restaurants.
  - (3) Agriculture and other general farming uses.
  - (4) Warehousing and storage of nonhazardous material.
  - (5) Assembly plants.
  - (6) Bottled gas sales and/or service.
  - (7) Food processing plants.
  - (8) Cellophane products manufacturing.
  - (9) Cold storage or refrigerating plants.
  - (10) Electrical parts manufacturing and assembly.
  - (11) Fiber products manufacturing (previously prepared fiber).
  - (12) Garment manufacturing.
  - (13) Glass products manufacturing.
  - (14) Ironwork (no foundry, drop hammer, and no punch presses over twenty (20) tons capacity).
  - (15) [Repealed by Ord. No. 92-1-1, § I, 1-21-92.]
  - (16) Leather products manufacturing (previously prepared leather).
  - (17) Machinery equipment sales and service.
  - (18) Millwork.
  - (19) Paint mixing and treatment (not employing a boiling process).
  - (20) Paper products manufacturing (previously prepared material).
  - (21) Plastic products manufacturing (previously prepared material).
  - (22) Sheet metal products manufacturing (light).
  - (23) Sign manufacture.
  - (24) Open storage of building material, lumber, machinery and pipe, provided the material is enclosed within a solid fence at least six feet high within required building lines when the storage area is adjacent to or across the street from an A, R, or C District.
  - (25) Railroad freight terminals, switching and classification yards, repair shops, roundhouse, power houses and fueling, sanding and watering stations.
  - (26) Television and radio broadcasting transmitters.
  - (27) Textile products manufacturing.
  - (28) Toy manufacturing.
  - (29) Well drilling services.
  - (30) Wood products manufacturing (assembling work and finishing).
- (Ord. No. 87-6-13, 6-15-87; Ord. No. 88-11-20, 11-28-88)

b. Special exception uses and structures (variation):

- (1) Temporary construction facilities for a period of one (1) year upon approval of the Planning Director. (Ord. No. 88-9-9, 9-6-88)

c. Special permit uses and structures include the following:

- (1) Office buildings for gambling operations, excluding all gaming activities, upon review and approval by the Planning Commission and supporting resolution of the Council. (Ord. No. 94-1-9, § V, 1-10-94)
- (2) Operations which store or utilize hazardous materials identified through guidelines contained in subsection VI.D.I.4.b. of these regulations upon review and approval of the Planning Commission and supporting resolution of the Council. (Ord. No. 96-5-17, § II, 5-20-96)
- (3) Cellular installations and PCS (personal communication service) installations. (Ord. No. 97-74, § V, 7-7-97)
- (4) Truck terminals (with video poker gaming facilities) upon review and approval of the Planning Commission, and supporting resolution of the Council (Ord. No. 98-4-17, § IV, 4-20-98). Truck terminals with video poker gaming facilities shall conform to the regulations set forth by the state of Louisiana and to the following regulations:
  - (1) Frontage shall be on a median-divided, major arterial with a minimum of 4-roadway lanes, and having federal or state designation.
  - (2) Minimum lot size of site shall be ten (10) acres.

(3) Truck terminals with video poker gaming facilities shall also have all of the following amenities:

- a) a separate truckers' lounge
- b) a full-service laundry facility located in a convenient area for truckers' use
- c) private showers for men and women and not located in an area open to general public restroom facilities
- d) a travel store with items commonly referred to as truckers' supplies (items commonly used only by commercial motor vehicles)
- e) truck scales
- f) separate truckers' telephones
- g) permanent storage facilities for fuel

(4) These regulations shall not be applied to any truck stops with video poker gaming facilities which have received a Certificate of Zoning Compliance previous to the date of this ordinance, notwithstanding any other provisions of this ordinance. (Ord. No. 01-5-18, § IV, 5-21-01)

(5) Towing yard. Towing yards, upon review and approval by the Planning Commission and supporting resolution of the Council, shall conform to the following regulations: (Ord. No. 14-8-8, § I, 8-4-14)

(1) Site plan approval. All tow yard operators must secure approval of a site plan. The site plan shall include:

- a) The storage layout and the maximum number of vehicles proposed to be stored. All storage parking spaces shall open directly to an access drive. Vehicles shall not be stored on top of each other. All vehicles shall be stored on an aggregate parking surface;
- b) A seven-foot solid, opaque fence will enclose such yards and shall be maintained in a constant state of good repair. Entrances will be constructed of the same material as the fence. All entrances shall remain closed when not in use;
- c) A ten (10) foot buffer zone when abutting a C-3 or lesser intensive use or zoning district. The buffer shall be planted with acceptable trees and shrubs;
- d) All buildings and structures to be located on the site and the required off-street parking layout.

(2) Towing yard operators shall maintain records of each vehicle and its storage period. These records shall be available upon request of the planning department.

(3) Towing yards shall also adhere to state and local licensing requirements.

(4) Any change of permitted plan will result in a cease and desist order being placed on the towing yard. (Ord. No. 99-3-15, § II, 3-22-99)

(6) Green markets upon review and approval by the Planning Commission and supporting resolution of the Council. Such sites must possess frontage on a hard-surfaced public collector or arterial street. (Ord. No. 03-1-12, § V, 1-21-03)

(7) Barrooms, night clubs, lounges and dancehalls upon review and approval by the Planning Commission and supporting resolution of the Council. (Ord. No. 08-5-5, I, 5-19-08; Ord. No. 14-8-8, § II, 8-4-14)

(8) Automotive racing tracks and strips upon receiving a recommendation of the Planning and Zoning Commission and an ordinance granting approval by the Parish Council. (Ord. No. 11-5-2, 5-2-11)

(9) Disposal and/or deposition of directional boring slurry upon receiving a recommendation by the planning and zoning commission and an ordinance granting approval by the parish council. The requirement for a special permit shall not apply to directional boring associated with oil and gas production, nor shall it apply to the incidental or accidental deposition at the site of the boring. (Ord. No. 12-4-16, § II, 4-23-12)

## 2. Spatial Requirements:

a. Minimum lot size: Ten thousand (10,000) square feet.

Minimum width: One hundred (100) feet. (Ord. No. 99-2-4, § I, 2-1-99)

b. Minimum yard sizes:

- (1) Front - twenty-five (25) feet
- (2) Side - fifteen (15) feet
- (3) Rear - twenty-five (25) feet.

(4) Whenever property abuts a major drainage canal as defined by the Subdivision regulations the required setback for all structures shall be ten (10) feet measured from the inner boundary of such servitude or right-of-way, not withstanding any other more restrictive setbacks, this provision shall not apply to any lot of record created and existing prior to the effective date of Ordinance No. 99-12-8, December 15, 1999. (Ord. No. 08-8-9, § XIII, 8-18-08)

## 3. Transportation System: Arterial, rail, water.

### 4. Special Provisions:

a. No manufacturing operations within the M-1 zoning district shall emit odors, gas or fumes beyond the lot line or produce a glare beyond the lot line. All facilities shall be dust-proofed including walkways, driveways and parking areas. All operations must be conducted within a building or within an area enclosed on all sides by a solid fence or wall no less than six (6) feet in height. (Ord. No. 89-2-13, 2-20-89; Ord. No. 05-5-2, 5-2-05)

b. Where any industrial or commercial use in an M-1 zoning district abuts any residential district or use, a six-foot high solid wood or vinyl fence or masonry wall shall border the same and there shall be a buffer strip fifteen (15) feet wide designated and maintained on the site planted with plant materials acceptable for buffer zones unless the Planning and Zoning Department shall require a greater buffer strip. (Ord. No. 05-5-2, 5-2-05)

c. The use(s) shall not receive, process, or create hazardous materials which are listed on the latest National Toxicology Programs Annual Report on Carcinogens, SARA Title III section 302 (EHS), and/or SARA Title III Section 313 (toxicity) without a special permit as identified in section VI.D.[I].1.c of this ordinance. Whenever a proposed development or expansion involves chemical processing or storage on a site in an M-1 zoning district and the uses do not require a special permit as identified in section VI.D.[I].1.c of this ordinance, certification shall be furnished by a chemical engineer, registered in the State of Louisiana and approved by the Parish of St. Charles, that materials associated with the enterprise do not appear on cited hazardous material lists. Those chemicals or materials which are permitted under this regulation either by special permit or certification of compliance, shall be stored in accordance with the National Fire Protection Association Flammable and Combustible Liquids Code (NFPA 30 1990), or amended version. With regard to placement of allowable materials on site, the minimum distance in feet from property line which is or can be built upon, including the opposite side of a public roadway, shall be two times the minimum distances required by NFPA 30. In the event the distances required by this paragraph exceed the minimum distances required by NFPA 30, then the requirements of this paragraph shall govern.

(Ord. No. 96-5-17, § III, 5-20-96; Ord. No. 87-6-13, 6-15-87; Ord. No. 99-8-15, § I, 8-16-99; Ord. No. 05-5-2, 5-2-05)

## ANALYSIS

The applicant is making this request to rezone the site from C-3 to M-1 in on the advice of the department to comply with the Zoning Ordinance for the operations taking place on site that do not comply with its current C-3 zoning. The applicant was told this rezoning request was the best way to legitimize activities on the site but that making the request would not guarantee rezoning approval.

The site has been in use for outdoor storage of various items, including derelict vehicles, unoccupied mobile homes, tree limbs, tree stumps and various other debris and occasional burning activities have taken place there. The violation notice also states removal of debris on the lot, which has been done but there is evidence of a pause in that activity. The applicant states on the rezoning application the present and intended use of the property is for a “wood lot –parking of company trucks, private use only.” The applicant has also consulted with the Louisiana Department of Environmental Quality (DEQ) and submitted a business plan to them proposing best management practices. DEQ has issued a determination that the site is not a Class III landfill but that the storage of tree debris and composting does comply with their regulations. However, the present and intended operation on site is not a C-3 use, but M-1. Therefore, without the site being rezoned to M-1, these operations cannot continue because they do not comply with C-3 zoning.

Normally, rezoning requests are submitted before subject sites are developed under the relevant zoning being requested. However, in this case, what is being considered is whether the current use can be allowed to continue. It also means that the applicant can, by right, develop the site for any and all other allowable M-1 land uses. Recommendation for rezoning approval of this site requires that the application must meet the tests of one of three criteria listed above.

The first test is to determine if there are land-use patterns or character in the vicinity that have changed to the extent that the site in question cannot be used. The department concludes that there are not. The site abuts lands zoned C-3, W, OL and R-3 zoning but are vacant in land use and possibly wetlands. To the south across the BNSF Railroad and Old Spanish Trail are a few residences situated on land also zoned C-3. The applicant site is currently more intense than all of the surrounding zoning districts and their land uses. The applicant site can be used under C-3 zoning without being out of character with the surroundings as M-1 uses there. M-1 zoning and land use would have much more of an impact on abutting land uses and result in greater out of character uses. There seems to be no evidence of changing land use patterns that would prevent C-3 usage of this site. Therefore, **the tests of the first criteria are not met.**

The second test is to determine if rezoning a site complies with the greater public interest. Future Land Use Map from The St Charles Parish 2030 Comprehensive Land Use Plan designates the site as *Commercial*. The proposed zoning and resulting land use would be more of a light-industrial land use. Also, there is a residential land use approximately 300-500 feet away separated by the railroad and state highway. Evidence of negative impacts resulting from this land use conflict is the number of complaints and violation notices on file about the unpermitted activities taking place on the site. Rezoning this lot to allow the current and

potential more intense activity will create an even further incompatibility with the neighboring uses, which is **a failure to meet the second criteria**.

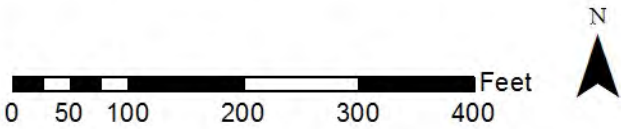
The third test is to determine whether the rezoning creates a spot zone or is otherwise capricious or arbitrary such that a rezoning would inhibit the maintenance and enjoyment of neighboring properties. Rezoning the site to M-1 will make it the sole site within a nearly quarter mile radius of the community and the only *light* or *heavy manufacturing* on Old Spanish Trail between Boutte and Paradis. Not only will it create a spot zone, but it will be in direct conflict with the Future Land Use Map recommendation for *commercial* development. Nearby residents can rightfully conclude that the site can have an even more intensive M-1 land use once rezoning to M-1 is approved. Therefore, **the third criteria is not met**.

<b>DEPARTMENT RECOMMENDATION</b>
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**Denial.**



PZR-2015-16  
Requested by: TuJack Hoover  
Rezone from C-3 to M-1





# LAND USE REPORT

## CASE NUMBER: PZR 2015-18

- ◆ **Name/Address of Applicant:**  
Houston Energy / William Flores  
1415 Louisiana Street, Ste. 2400  
Houston, TX 77002  
713.400.7774  
[bflores@houstonenergyinc.com](mailto:bflores@houstonenergyinc.com)
- ◆ **Location of Site:**  
North of Willowdale Subdivision, East of Willowdale Blvd.
- ◆ **Requested Action**  
Rezone from R-1A to O-L
- ◆ **Purpose of Requested Action**  
To construct a board road, and prospect for gas via conventional rig and drill pad.

- ◆ **Size of Parcel**  
130,680 square feet (approx. 3 acres)
- ◆ **Existing Land Use and Zoning**  
R-1A Zoning(proposed O-L); wooded and vacant
- ◆ **Surrounding Land Uses and Zoning**  
R-1A zoning & with wooded vacant land to the North and East; R-1A zoning and land use to the South and West.
- ◆ **Traffic Access and Parking**  
Willowdale Boulevard.
- ◆ **Plan 2030 Recommendations:**  
*Wetland*

1. Land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. Reasonableness is defined as:
  - a. Land use the same as, or similar to that existing on properties next to, or across the street from the site under consideration.
  - b. Consideration of unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies.
  - c. Consideration of changes in land value, physical environment or economic aspects, which tend to limit the usefulness of vacant land or buildings.
2. The proposed zoning change, and the potential of a resulting land use change, will comply with the general public interest and welfare and will not create:
  - a. Undue congestion of streets and traffic access.
  - b. Overcrowding of land or overburden on public facilities such as transportation, sewerage, drainage, schools, parks and other public facilities.
  - c. Land or building usage which, is, or may become incompatible with existing character or usage of the neighborhood.
  - d. An oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood.
3. The proposed zoning change is in keeping with zoning law and precedent, in that:
  - a. It is not capricious or arbitrary in nature or intent.
  - b. It does not create a monopoly, or limit the value or usefulness of neighboring properties.

- c. It does not adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns.
- d. It does not create a spot zone, that is, an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

**ANALYSIS**

This request is to rezone a portion of wooded property currently zoned R-1A to O-L to allow for a Special Permit Use to prospect for gas from a conventional rig and drilling pad. The applicants started their process by applying for a US Army Corps of Engineers Permit and a Louisiana Department of Natural Resources (LADNR) Permit to locate a drilling pad at the end of 2014. The original application for those permits identified the board road on top of the existing levee North of Willowdale subdivision. Because of objections from the nearby residents and the Department of Public Works, an alternative location with the drilling pad and board road located nearly 600 feet to the north was submitted to the permit agencies and a Letter of No Objection was sent by the Parish Council. However, during review, a hydrologist with LADNR objected to the location of the board road, citing concerns about impounding water between it and the existing levee. Subsequently, Houston Energy submitted a third site plan, leaving the drilling pad in its northern location, but aligning the board road back near the levee, but angling to avoid the residences as a compromise. This proposal also appeared before the Parish Council and received a Letter of No Objection. The rezoning case PZR-2015-18 and the Special Permit Case PZSPU-2015-16 both reflect the third site plan described above.

Recommendation for rezoning approval requires that an application must meet the tests of one of three criteria listed above. This application **fails all three**.

The first criteria addresses whether land-use pattern or character has changed to the extent that the existing zoning no longer allows reasonable use of the proponent's property and adjacent property. No land use in the area is the same as, or similar to, the proposed zoning. There are no unique or unusual physical or environmental limitations due to size, shape, topography or related hazards or deficiencies. It could be argued that changes in land value, physical environment or economic aspects would make the site more difficult to develop as is it currently zoned; it has been some 10 years since a new major subdivision has been filed for.

The second criteria addresses whether proposed zoning will comply with the general public interest and welfare. One of the complaints heard early in this process was that the project would create congestion of streets and traffic access problems, particularly during the initial construction phase. The second site plan would have addressed this issue because of where the access road left Willowdale Boulevard, but that was rejected by LADNR. It appears the only public facilities that may be affected would be transportation, as discussed above, but that sewerage, drainage, schools, parks and other public facilities would not be affected at all. By all appearance the proposed and potential use of an O-L piece of land in this area is, or may become incompatible with existing character or usage of the neighborhood which is all single family, site built homes. The proposal does not create an oversupply of types of land use or zoning in proportion to population, land use and public facilities in the neighborhood in that there are no O-L properties nearby.

The third criteria judges whether proposed zoning change is in keeping with zoning law and precedent. The proposal doesn't appear to be capricious or arbitrary in nature or intent and does not create a monopoly. Some neighboring properties have stated that they believe this project would limit the value or usefulness of their property. It could be argued that the proposal does adversely affect the reliance that neighboring property owners or occupants have placed upon existing zoning patterns in that the area has tended toward single family residential since the original zoning was adopted in 1981. Approving the proposal would create a spot zone that may result in an incompatible or unrelated classification which would prevent the normal maintenance and enjoyment of adjacent properties.

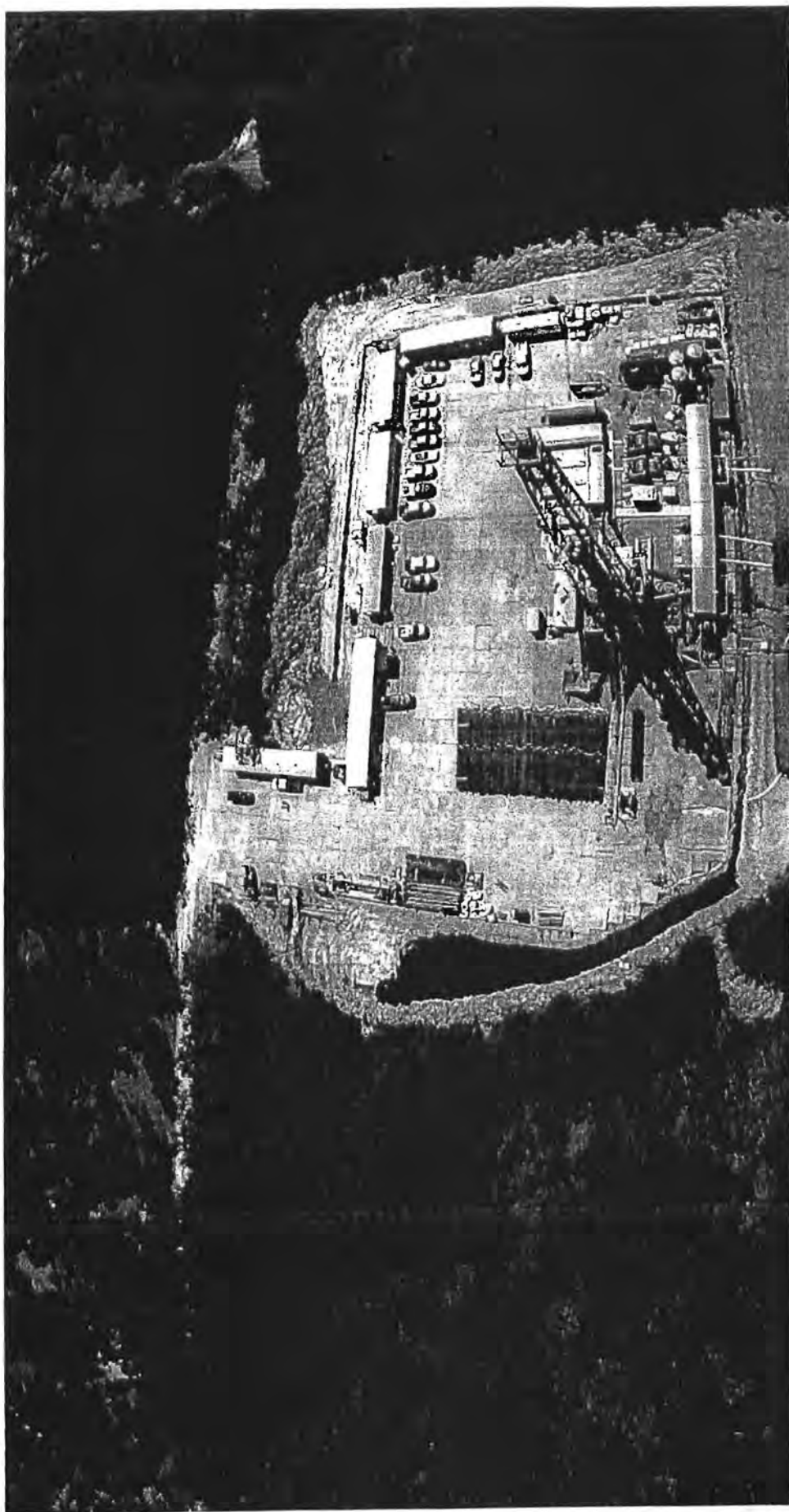
The Future Land Use Map for the lot is *Wetland*. It could be argued that while this rezoning does not ask to zone the area as Wetland (W-1), that the O-L Zoning is a movement closer to the desired use, so the proposal is not incompatible with the FLUM.

As previous stated to the St. Charles Parish Council, the proposal that moves the road several hundred feet to the north and pulls the construction traffic off of Willowdale Boulevard before passing in front of residents homes would address one if not all of the issues raised in the analysis.

**DEPARTMENT RECOMMENDATION**

**Denial.**

# RIVERBEND PROSPECT DRILLING VISUAL



**HE**  
HOUSTON ENERGY

# PRODUCTION SITE



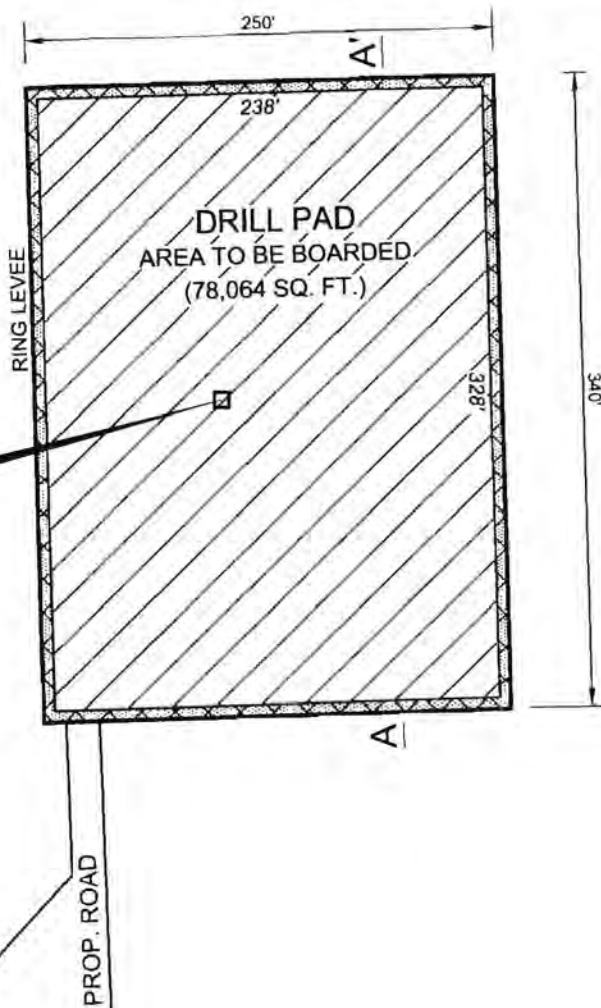
MAXIMUM OUTSIDE DIMENSIONS OF LEVEES SHALL NOT EXCEED 340' X 250'.

UPON ABANDONMENT OF LOCATION WETLANDS WILL BE RESTORED AS NEAR TO PREPROJECT CONDITIONS AS PRACTICABLE.

APPROX. 6,750 CU. YDS. (1.95 ACS.) OF FILL TO BE HAULED IN TO CONSTRUCT DRILL PAD & RING LEVEES.

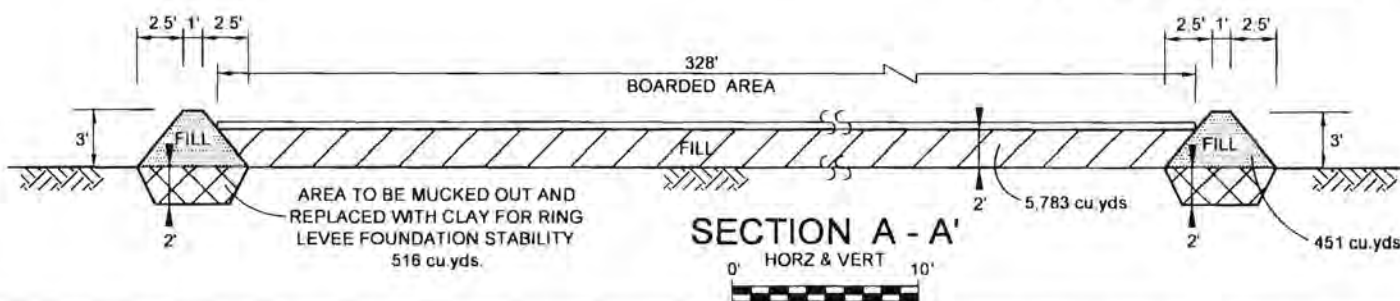
A CLOSED LOOP SYSTEM WILL BE UTILIZED DURING DRILLING OPERATIONS

PROPOSED LOCATION	
X=	3,598,366' (83)
Y=	510,149'
Lat=	29°53'56.4"N
Lon=	90°19'52.2"W
X=	2,317,565' (27)
Y=	449,442'



LAMBERT GRID NORTH  
NAD 1927 LA. S.Z.

TYPICAL DRILL SITE PLAN



HOUSTON ENERGY OPERATING, L.P.

1415 LOUISIANA, SUITE 2400

HOUSTON, TEXAS 77002

PROPOSED DRILL SITE & LOCATION

RIVER BEND PROSPECT

ST. CHARLES PARISH, LOUISIANA



JOB NO. 150270

DWG: REP

CHK: HEK

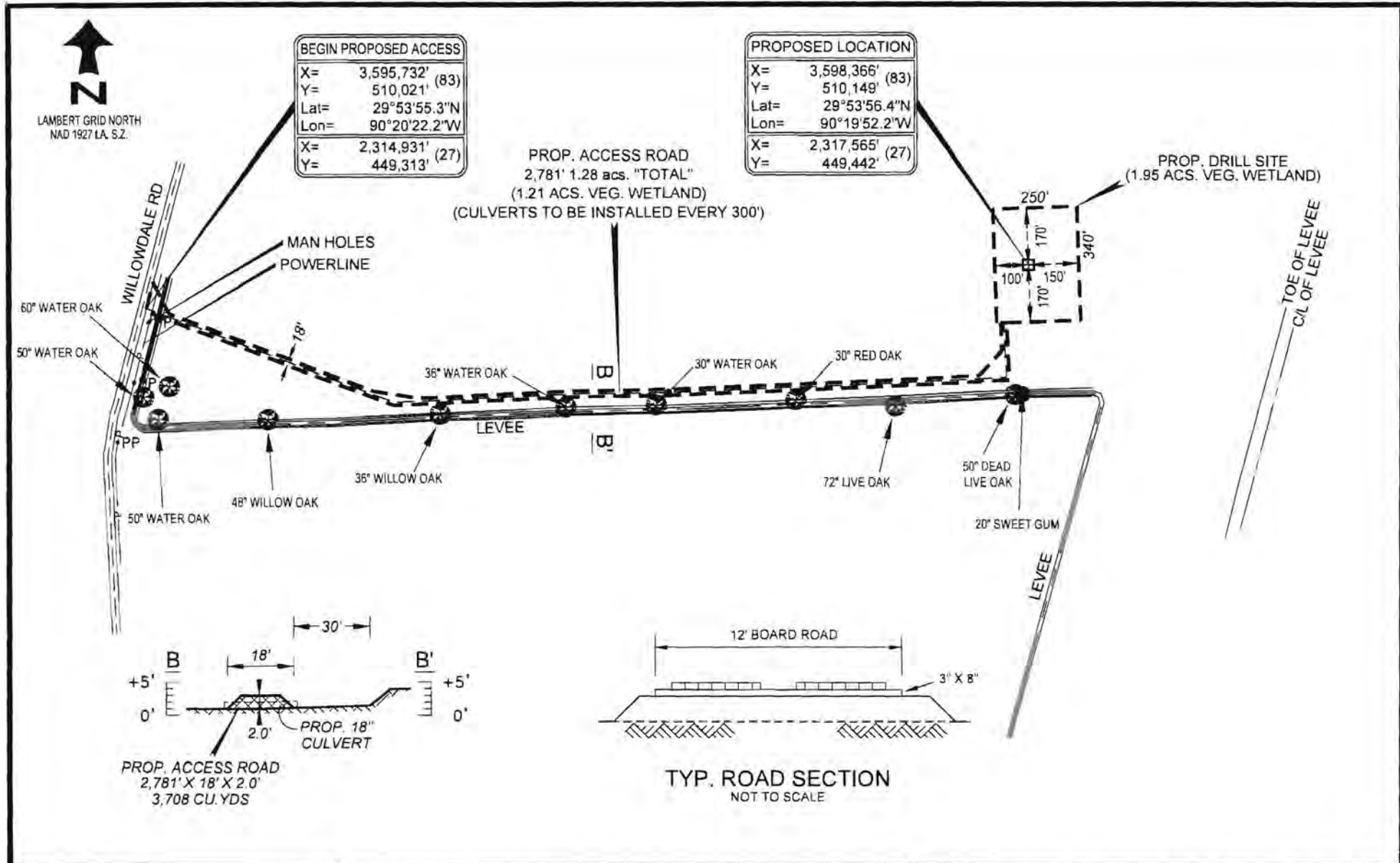
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DATE 6/30/2014

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10/30/2014  
12/22/2014  
4/6/2015

SHEET 3 OF 3



PLAN

SCALE IN FEET

**HOUSTON ENERGY OPERATING, L.P.**

1415 LOUISIANA, SUITE 2400  
HOUSTON, TEXAS 77002

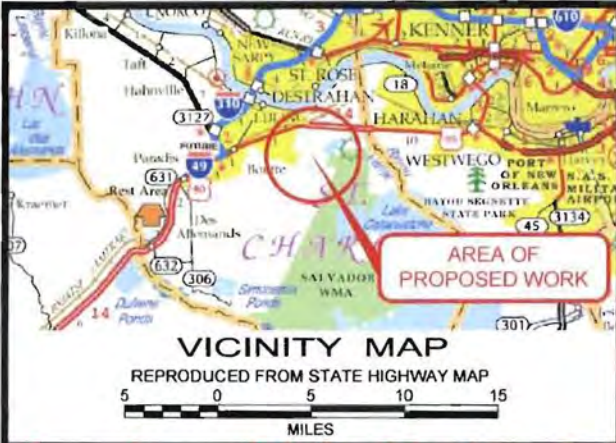
**PROPOSED DRILL SITE & LOCATION**

**RIVER BEND PROSPECT**

**ST. CHARLES PARISH, LOUISIANA**

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			12/22/2014		
			4/6/2015		



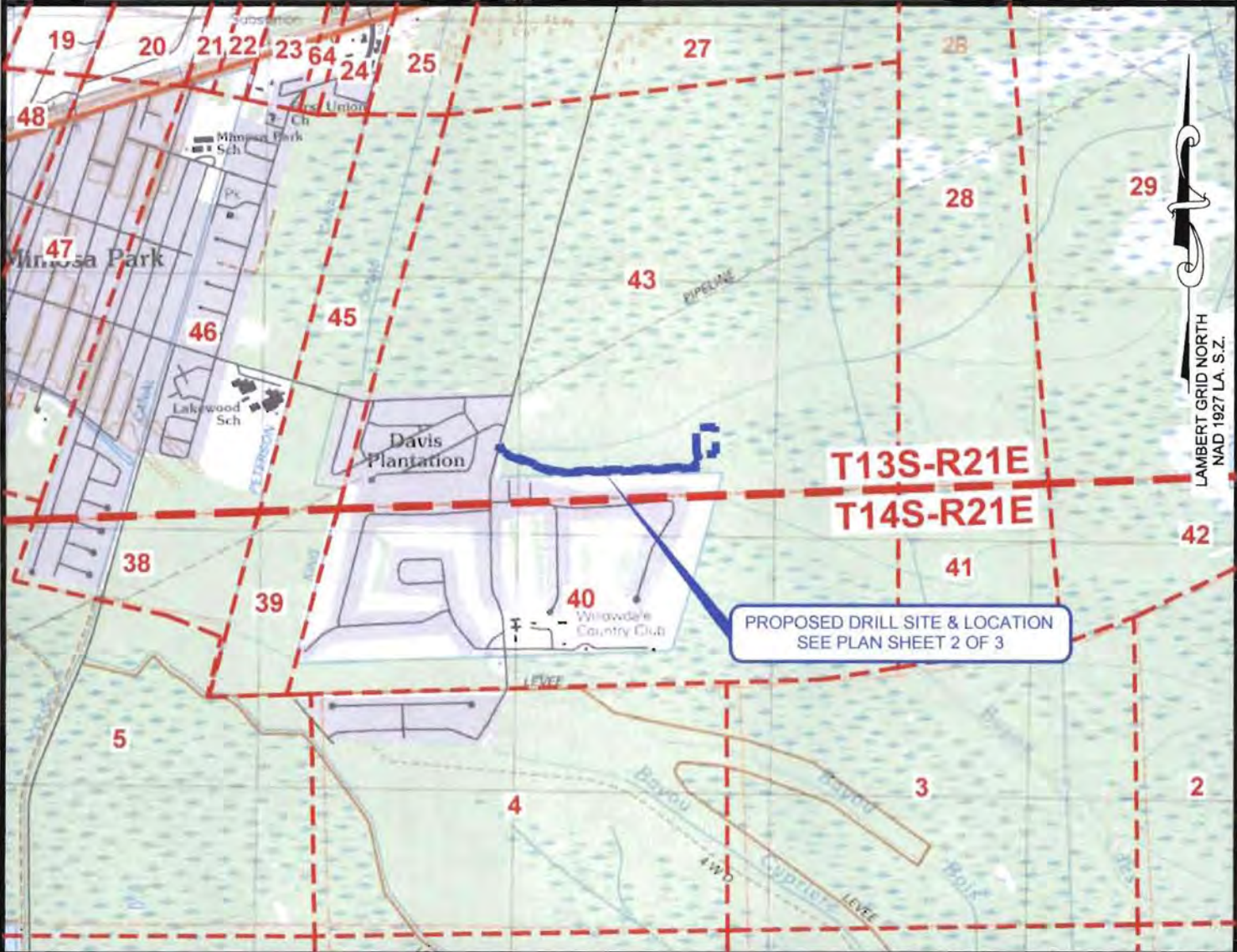


All structures, facilities, well and pipelines/flowlines shall be removed within 120 days of abandonment of the facilities for the herein permitted use. This condition does not preclude the necessity for revising the current permit or obtaining a separate Coastal Use Permit, should one be required, for such removal activities.

All structures will be marked and lighted in accordance with U.S Coast Guard regulations.

As-built drawings shall be submitted within 30 days of completion of this project to the Louisiana Department of Natural Resources, Office of Conservation, Pipeline Division, P.O. Box 94275, Baton Rouge, LA 70804 and to the Louisiana Department of Natural Resources, Coastal Management Division, P. O. Box 44487, Baton Rouge, La. 70804-4487.

Permittee shall contact Louisiana ONE CALL at 1-800-272-3020 forty-eight hours prior to excavation or demolition.



**LOCATION MAP**  
REPRODUCED FROM USGS LULING QUADRANGLE

2000' 0' 2000' 4000'  
SCALE IN FEET

**HOUSTON ENERGY OPERATING, L.P.**  
1415 LOUISIANA, SUITE 2400  
HOUSTON, TEXAS 77002

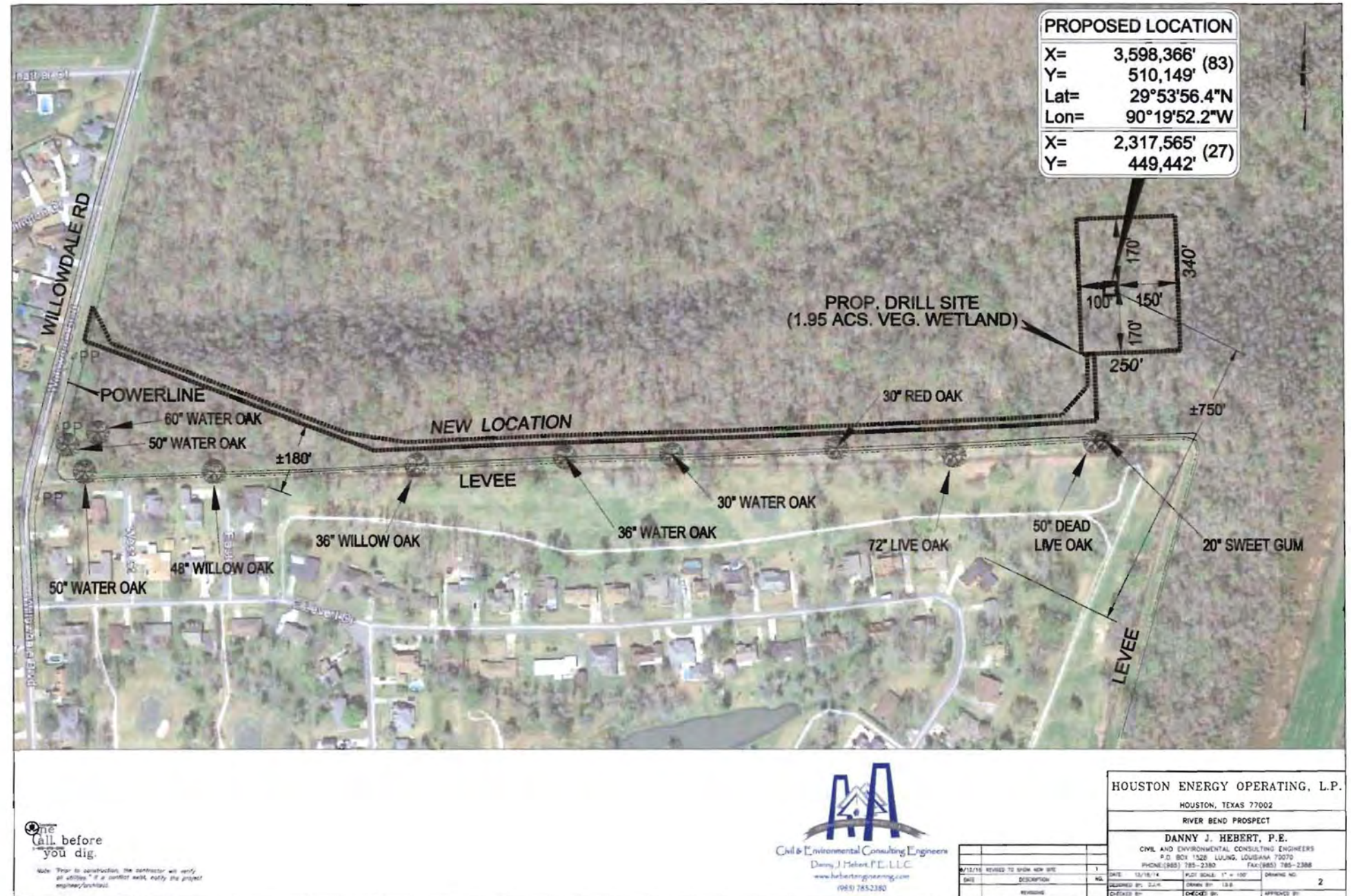
**PROPOSED DRILL SITE & LOCATION**  
**RIVER BEND PROSPECT**  
**ST. CHARLES PARISH, LOUISIANA**



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REVISED: 10/10/2014  
10/30/2014  
12/22/2014  
4/6/2015    DATE 6/30/2014  
**SHEET 1 OF 3**





# St. Charles Parish

## Department of Planning & Zoning

### LAND USE REPORT

**CASE NUMBER: PZSPU-2015-16**

#### GENERAL APPLICATION INFORMATION

- ◆ **Name/Address of Applicants:** Houston Energy / William Flores  
1415 Louisiana Street, Ste. 2400  
Houston, TX 77002  
713.400.7774  
[bflores@houstonenergyinc.com](mailto:bflores@houstonenergyinc.com)
- ◆ **Location of Site:** North of Willowdale Subdivision, East of Willowdale Blvd.
- ◆ **Requested Action:** Mineral Extraction in a proposed O-L.

**Application Date:** 7/1/15

#### SITE-SPECIFIC INFORMATION

- ◆ **Size of Parcel:** 130,680 square feet (approx. 3 acres)
- ◆ **Plan 2030 Recommendation:** *Wetland.*
- ◆ **Existing Zoning and Land Use:** R-1A Zoning(proposed O-L); wooded and vacant
- ◆ **Surrounding Land Uses and Zoning:** R-1A zoning & with wooded vacant land to the North and East; R-1A zoning and land use to the South and West.
- ◆ **Utilities:** All utilities would have to be installed to the site from Willowdale Boulevard.
- ◆ **Traffic Access:** Willowdale Boulevard

#### APPLICABLE REGULATIONS

##### **Appendix A. Section [VI.].C. [I.]O-L. Open Land District:**

1.Use Regulations:

- c. Special permit uses and structures include the following:
  - (4) Extraction of oil and gas, minerals and other natural resources provided that criteria set forth by the St. Charles Parish Coastal Zone Management Section of the Planning and Zoning Department are met.

**AND:**

**Appendix A, Section IV. 9.:** Review and evaluation criteria/special permit use and special exception use: The appropriate decision-making agent and/or body shall review and evaluate each application based upon the following relevant criteria:

- a. Comparison with applicable standards established by the Comprehensive Land Use Plan as applied to the proposed use and site.
- b. Compatibility with existing or permitted uses on abutting sites, in terms of building construction, site development, and transportation related features.
- c. Potentially unfavorable effects or impact on other existing conforming or permitted uses on abutting sites, to the extent such impacts exceed those impacts expected from a standard permitted use in the applicable zoning district.
- d. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area considering existing zoning and uses in the area.

- e. Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.
- f. Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.
- g. Conformity with the objectives of these regulations and the general purposes of the zone in which the site is located.
- h. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area.

The above criteria listed in a—g is to be considered illustrative and not restrictive, and other criteria may be considered although not specifically listed above if said criteria affects [affect] the general welfare and safety of the public at large.

ANALYSIS

This request is to rezone a portion of wooded property currently zoned R-1A to O-L to allow for a Special Permit Use to prospect for gas from a conventional rig and drilling pad. The applicants started their process by applying for a US Army Corps of Engineers Permit and a Louisiana Department of Natural Resources Permit to locate a drilling pad at the end of 2014. The original application for those permits identified the board road on top of the existing levee North of Willowdale subdivision. Because of objections from the nearby residents and the Department of Public Works, an alternative location with the drilling pad and board road located nearly 600 feet to the north was submitted to the permit agencies and a Letter of No Objection was sent by the Parish Council. However, during review, a hydrologist with LADNR objected to the location of the board road, citing concerns about impounding water between it and the existing levee. Subsequently, Houston Energy submitted a third site plan, leaving the drilling pad in its northern location, but aligning the board road back near the levee, but angling to avoid the residences as a compromise. This proposal also appeared before the Parish Council and received a Letter of No Objection. The rezoning case PZR-2015-18 and the Special Permit Case PZSPU-2015-16 both reflect the third site plan described above.

The Future Land Use Map for the lot is *Wetland*. It could be argued that while this rezoning does not ask to zone the area as Wetland (W-1), that the O-L Zoning is a movement closer to the desired use, so the proposal is not incompatible with the FLUM so it **would comply to criteria a.**

Because of the industrial nature of the proposal in the vacant and residential area the project would not be compatible with existing or permitted uses on abutting sites, in terms of building construction, site development, and transportation related features particularly during the initial construction phase therefore **the proposal would not meet criteria b.**

Again because of the industrial nature of the proposal in the vacant and residential area the proposed project has potentially unfavorable effects or impact on other existing conforming or permitted uses on abutting sites, to the extent such impacts exceed those impacts expected from a standard permitted use in the applicable zoning district such as additional housing. **The proposal therefore does not meet criteria c.**

Previously expressed concerns about the heavy truck traffic associated with construction as well as the safety and convenience of vehicular and pedestrian circulation in the vicinity would be in question. This would include traffic reasonably expected to be generated by the proposed use, other uses anticipated in the area under the existing zoning, and uses currently underway in the area (including the ongoing levee construction that is already placing heavy construction activity on Willowdale Boulevard). **Therefore the proposal does not meet criteria d.**

Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts has been called into question with this project but if proper buffering is maintained, the impacts from the proposal should be minimal. The greatest potential with this project would be with noise from the drilling activity, but most should be buffered by the trees the applicant proposes to leave in place, however because the project is industrial in it nature, the potential still exists and has been identified as an issue of the residents, the **proposal therefore does not meet criteria e.**

The proposed site has adequate off-street parking and loading facilities and should have sufficient protection of adjacent property from glare of site lighting. **The proposal meets criteria f.**

The proposal does not conform with the objectives of these regulations and the general purposes of the zone in which the site is located in that the site has had to propose rezoning this site even to be able to apply for this special permit use. **The proposal does not meet criteria g.**

The applicant have shown that they are willing to adjust the project to meet public concerns, but are being force by another regulatory agency to locate the access to the project closer to the residents that either they or the resident would like. They have tried to adjust their project so that the conditions

applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area. **The proposal meets criteria h.**

As previous stated to the St. Charles Parish Council, the proposal that moves the road several hundred feet to the north and pulls the construction traffic off of Willowdale Boulevard before passing in front of residents homes would address one if not all of the issues raised in the analysis.

<b>DEPARTMENTAL RECOMMENDATION</b>
<b>Denial.</b>



# RIVERBEND PROSPECT DRILLING VISUAL



**HE**  
HOUSTON ENERGY

# PRODUCTION SITE



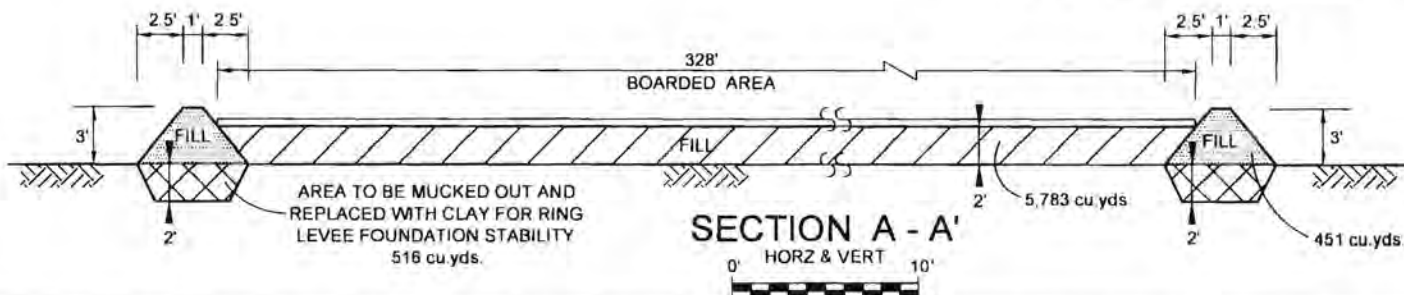
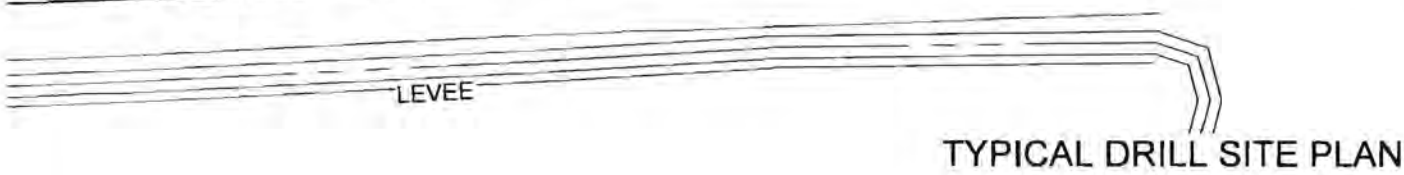
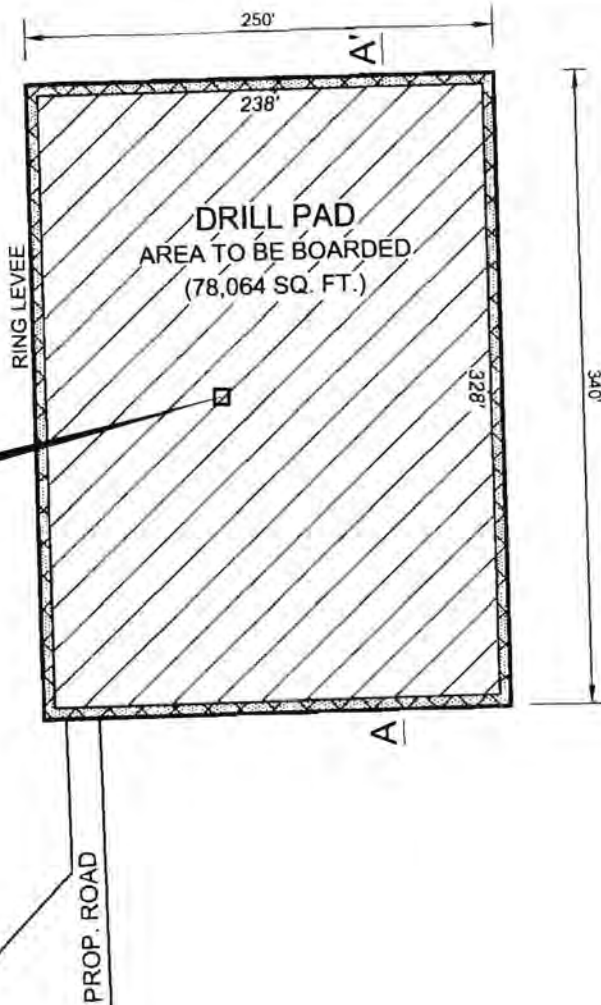
MAXIMUM OUTSIDE DIMENSIONS OF LEVEES SHALL NOT EXCEED 340' X 250'.

UPON ABANDONMENT OF LOCATION WETLANDS WILL BE RESTORED AS NEAR TO PREPROJECT CONDITIONS AS PRACTICABLE.

APPROX. 6,750 CU. YDS. (1.95 ACS.) OF FILL TO BE HAULED IN TO CONSTRUCT DRILL PAD & RING LEVEES.

A CLOSED LOOP SYSTEM WILL BE UTILIZED DURING DRILLING OPERATIONS

PROPOSED LOCATION	
X=	3,598,366' (83)
Y=	510,149'
Lat=	29°53'56.4"N
Lon=	90°19'52.2"W
X=	2,317,565' (27)
Y=	449,442'



HOUSTON ENERGY OPERATING, L.P.

1415 LOUISIANA, SUITE 2400

HOUSTON, TEXAS 77002

PROPOSED DRILL SITE & LOCATION

RIVER BEND PROSPECT

ST. CHARLES PARISH, LOUISIANA



JOB NO. 150270

DWG: REP

CHK: HEK

REVISED: 10/28/2014

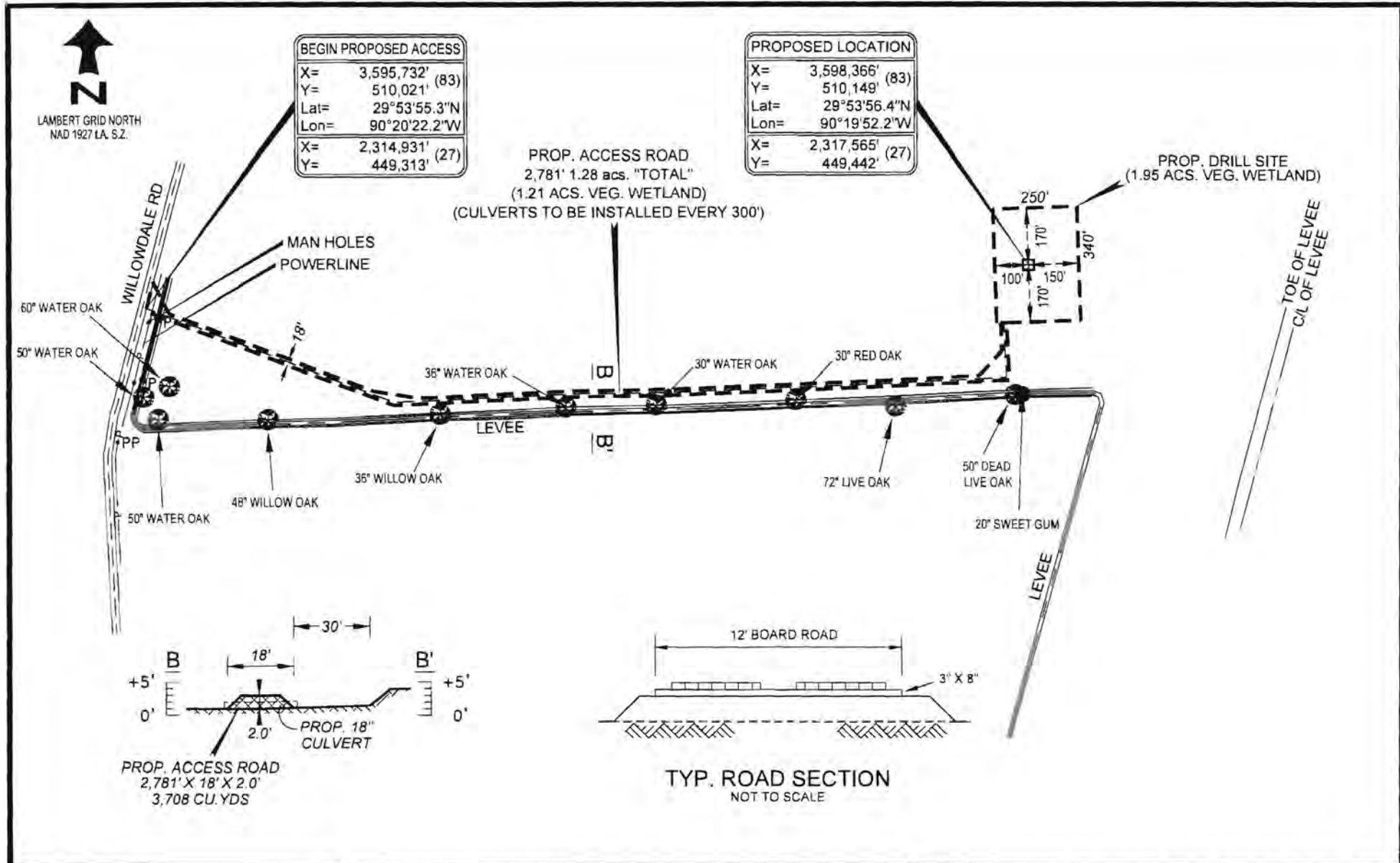
DATE 6/30/2014

FILENAME: L:\14S21E\150270\150270B.DWG

10/30/2014  
12/22/2014  
4/6/2015

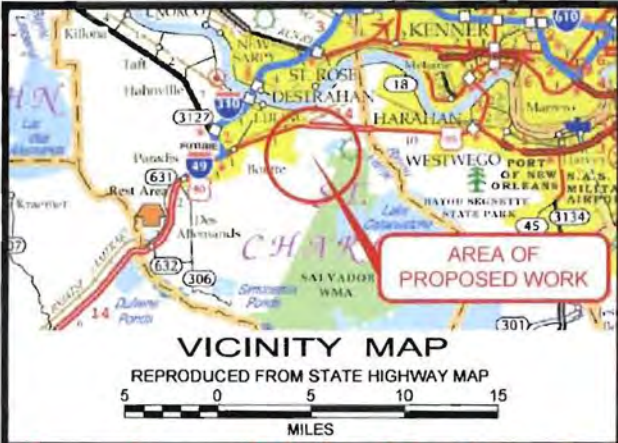
SHEET 3 OF 3





<p><b>PLAN</b></p> <p>SCALE IN FEET</p>	<p><b>HOUSTON ENERGY OPERATING, L.P.</b></p> <p>1415 LOUISIANA, SUITE 2400</p> <p>HOUSTON, TEXAS 77002</p>		<p><b>PROPOSED DRILL SITE &amp; LOCATION</b></p> <p><b>RIVER BEND PROSPECT</b></p> <p><b>ST. CHARLES PARISH, LOUISIANA</b></p>																	
			<table border="1"> <tr> <td>JOB NO. 150270</td> <td>DWG: REP</td> <td>CHK: HEK</td> <td>REVISED: 10/28/2014</td> <td>DATE 6/30/2014</td> </tr> <tr> <td colspan="3">FILENAME: L:\14S21E\150270\150270A.DWG</td> <td>10/30/2014</td> <td rowspan="2">SHEET 2 OF 3</td> </tr> <tr> <td colspan="3"></td> <td>12/22/2014</td> </tr> <tr> <td colspan="3"></td> <td>4/6/2015</td> </tr> </table>		JOB NO. 150270	DWG: REP	CHK: HEK	REVISED: 10/28/2014	DATE 6/30/2014	FILENAME: L:\14S21E\150270\150270A.DWG			10/30/2014	SHEET 2 OF 3				12/22/2014		
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FILENAME: L:\14S21E\150270\150270A.DWG			10/30/2014	SHEET 2 OF 3																
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			4/6/2015																	
<p><b>C&amp;C Technologies</b></p> <p>An Engineering International Company</p>																				



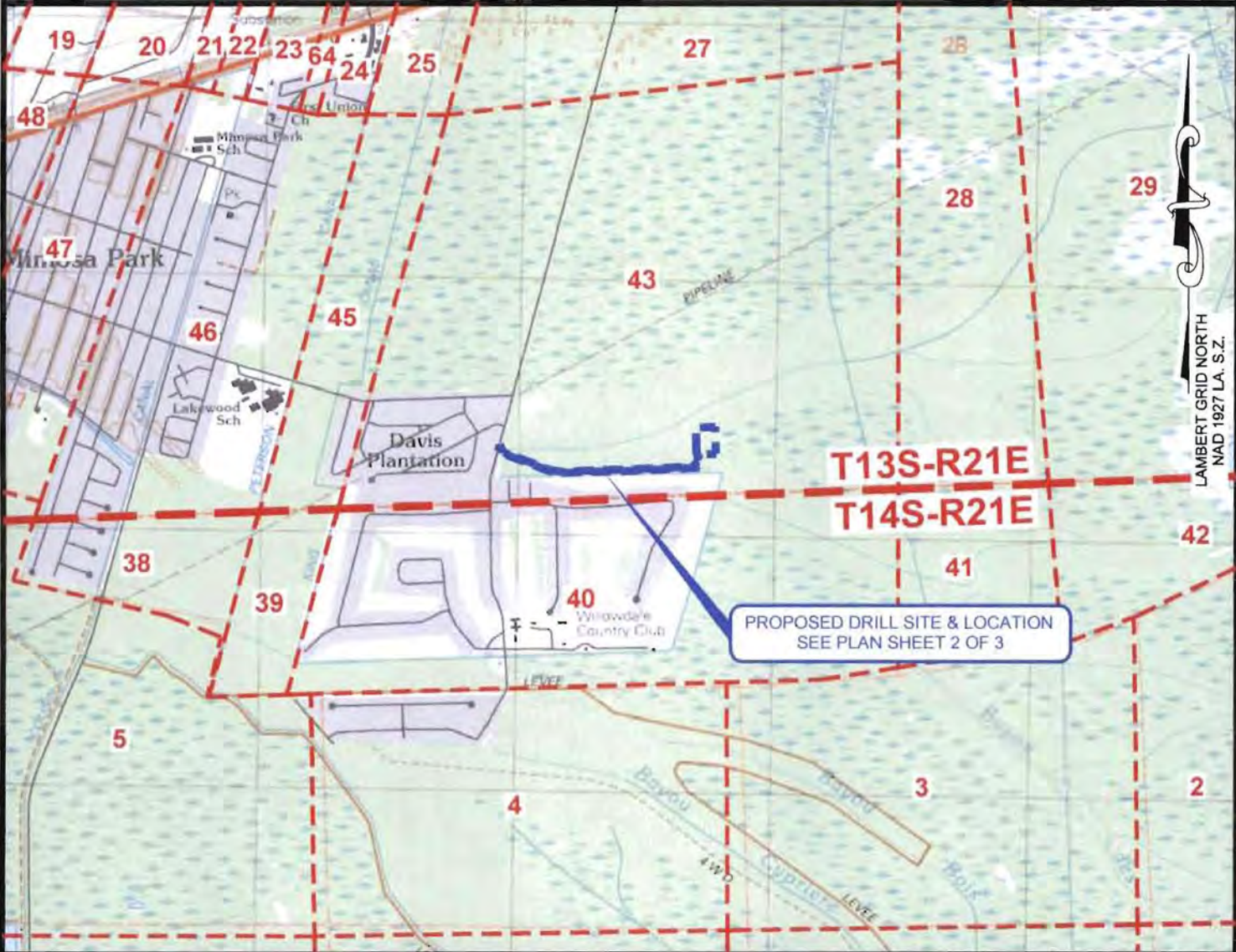


All structures, facilities, well and pipelines/flowlines shall be removed within 120 days of abandonment of the facilities for the herein permitted use. This condition does not preclude the necessity for revising the current permit or obtaining a separate Coastal Use Permit, should one be required, for such removal activities.

All structures will be marked and lighted in accordance with U.S Coast Guard regulations.

As-built drawings shall be submitted within 30 days of completion of this project to the Louisiana Department of Natural Resources, Office of Conservation, Pipeline Division, P.O. Box 94275, Baton Rouge, LA 70804 and to the Louisiana Department of Natural Resources, Coastal Management Division, P. O. Box 44487, Baton Rouge, La. 70804-4487.

Permittee shall contact Louisiana ONE CALL at 1-800-272-3020 forty-eight hours prior to excavation or demolition.



2000' 0' 2000' 4000'  
SCALE IN FEET

**HOUSTON ENERGY OPERATING, L.P.**

1415 LOUISIANA, SUITE 2400  
HOUSTON, TEXAS 77002

**PROPOSED DRILL SITE & LOCATION**

**RIVER BEND PROSPECT**  
**ST. CHARLES PARISH, LOUISIANA**



JOB NO. 150270

DWG: REP

CHK: HEK

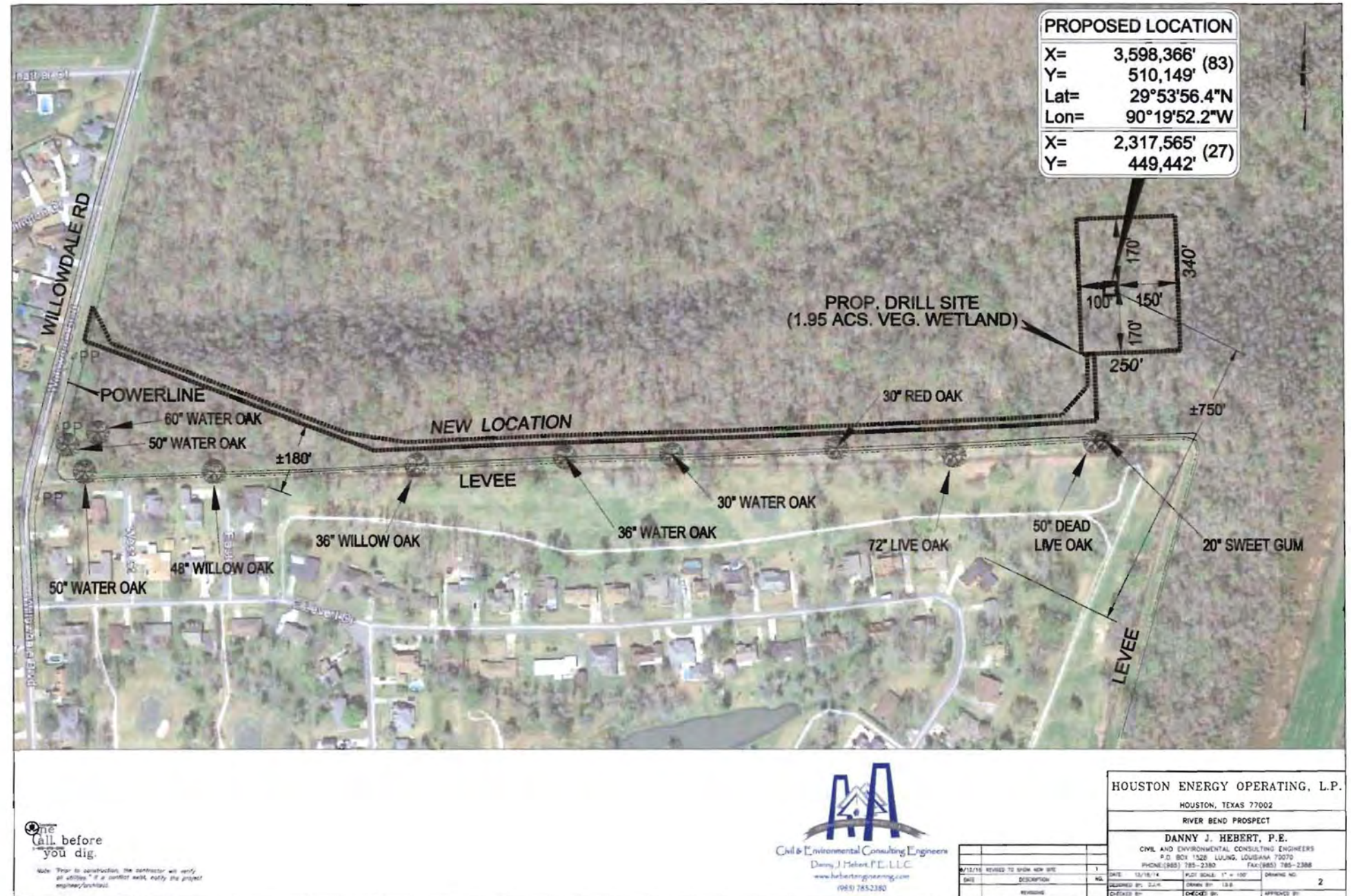
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10/30/2014  
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4/6/2015

DATE 6/30/2014

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SHEET 1 OF 3





**LAND USE REPORT**  
**CASE NUMBER: PZSPU 2015-17**

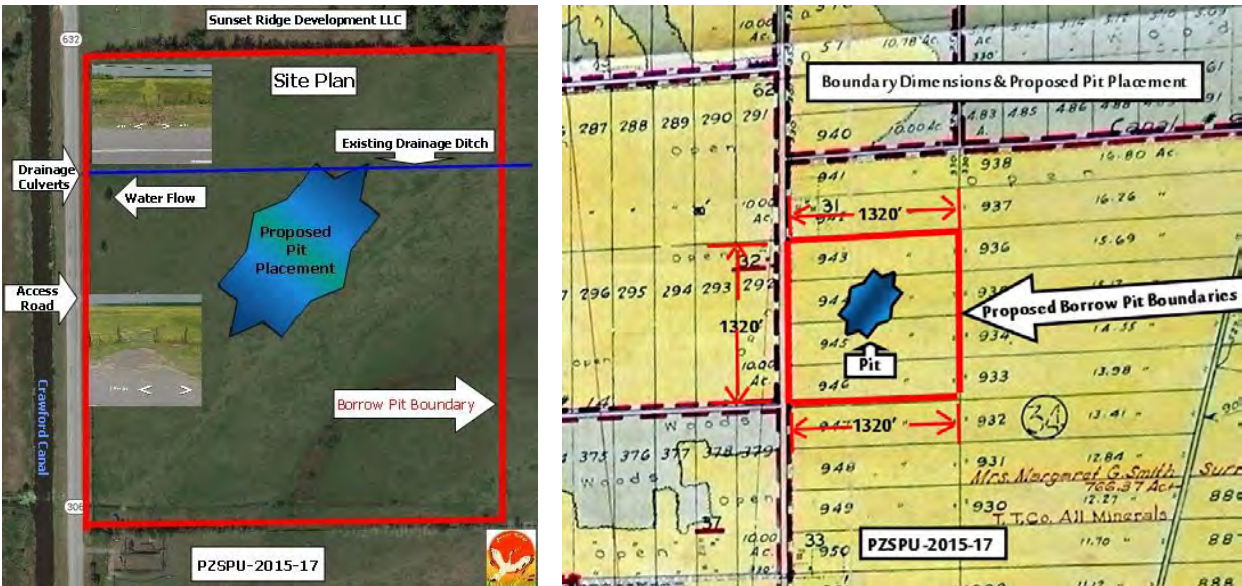


- e. Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.
- f. Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.
- g. Conformity with the objectives of these regulations and the general purposes of the zone in which the site is located.
- h. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area.

The above criteria listed in a--g is to be considered illustrative and not restrictive, and other criteria may be considered although not specifically listed above if said criteria affects [affect] the general welfare and safety of the public at large.

**ANALYSIS**

The applicant requests a special permit to dig and extract clay soil in an O-L zoning district. Mineral/soil extraction is a specially permitted use in an O-L zoning district. The applicant intends to sell the clay soil for the reconstruction of levee systems. Upon completion of extraction, the applicant intends to create a lake in the extracted soil pit. The proposed location of the pit/lake is shown below.

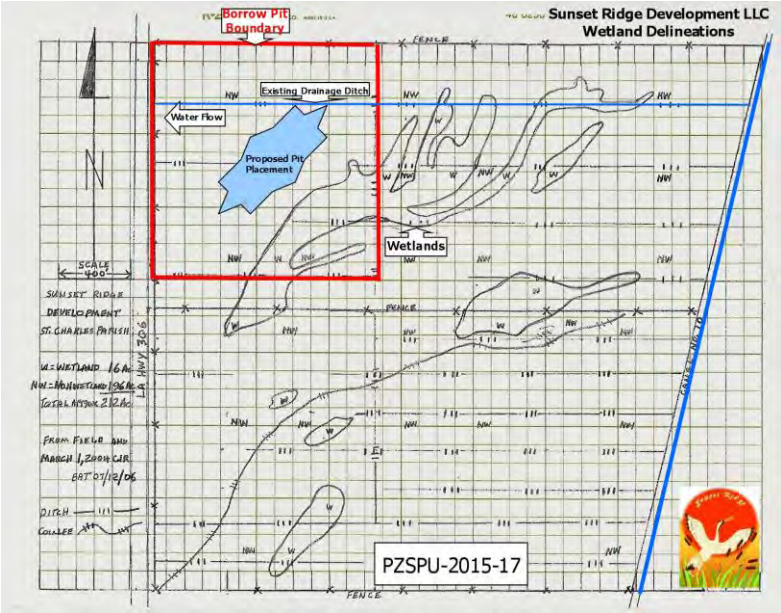


The surrounding zoning includes O-L to the west and north, R-1B to the east, and R-1AM and R-1A to the south. Much of the surrounding land use is open pasture; however, there are single-family residences to the immediate north and south of the property. See the zoning map below.



The applicant submitted a rough wetland delineation map. The map below demonstrates that the applicant intends not to disturb the wetland systems present on the property.





The Planning Department generally recommends approval of a Special Permit when it meets a majority of eight evaluation criteria. The applicant's request meets the following criteria:

**Criterion a** reviews compatibility with the future land use plan, which recommends Low Density Residential with a small node of Neighborhood Commercial. This SPU complies with the FLUM in that the land can still be used per its suggested uses after the soil extraction. The proposed lake can even be an asset to a residential community.

**Criterion b** reviews compatibility with the existing neighborhood. This SPU is compatible with the surrounding land uses in that it maintains the open land character of the area and does not disrupt nearby residential functions.

**Criterion c** seeks to minimize impacts from incompatible or overly intense uses. This SPU is not an overly intense use.

**Criteria d & f** seek to minimize traffic congestion and provide for safe, convenient vehicular and pedestrian movement. While this SPU may generate more vehicular traffic in the area during soil extraction activities, it is not likely to generate traffic that cannot be supported by LA 306 or an amount of traffic that would be a disturbance to surrounding residents.

**Criterion e** seeks to prevent hazards like noise, flooding, and glare. The site will remain mostly in its existing state. Therefore, potential flood and fire hazards are not likely to be exacerbated. This SPU is also not likely to generate additional noise other than vehicles entering and exiting the site.

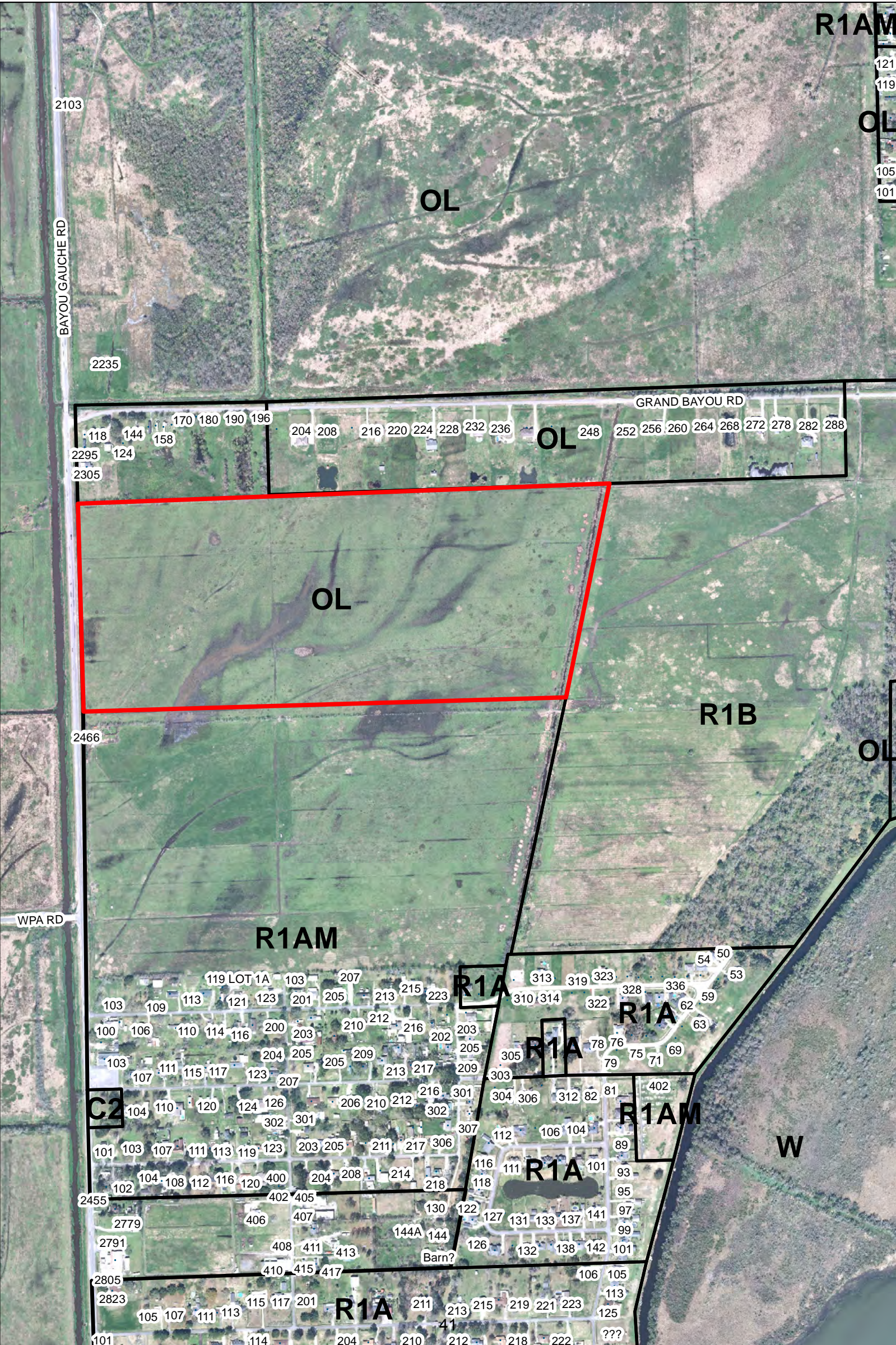
**Criterion h** seeks to minimize impacts of intense uses and to provide a means to make conditions on a Special Permit to minimize any impacts.

**DEPARTMENTAL RECOMMENDATIONS**

- Approval with the following stipulation:
- ♦ The design of the lake(s) created is approved by the Department of Planning and Zoning—natural-looking shape, not square, etc.



**PZSPU 2015-17**  
**Requested by Cecil Sumners**  
**SPU for Soil Extraction in an O-L zoning district**





St. Charles Parish  
Department of Planning & Zoning

LAND USE REPORT  
CASE NUMBER: PZSPU-2015-18

GENERAL APPLICATION INFORMATION

- ◆ Name/Address of Applicants:

Chad Worth  
165 Villere Drive  
Destrehan, LA 70047  
504.481.3638  
[Chad@cadservices.com](mailto:Chad@cadservices.com)

◆ Location of Site:

11 Storehouse Drive, Destrehan

◆ Requested Action:

SPU as Plumber Shop for Medical Gas Installation and Service Company

◆ Application Date:

7/17/15

SITE-SPECIFIC INFORMATION

- ◆ Size of Parcel:

15,000 sq. ft.
- ◆ Plan 2030 Recommendation:

Neighborhood Commercial.
- ◆ Existing Zoning and Land Use:

C-2, A/C and Heating Company per PZSPU-2003-11
- ◆ Surrounding Land Uses and Zoning:

C-2 zoning surrounds the site. Commercial uses abut the site along and across Storehouse Ln; the area behind the property is undeveloped.
- ◆ Utilities:

Standard utilities are available.
- ◆ Traffic Access:

Site has access to Ormond Boulevard via Storehouse Ln. a local, dead end street

APPLICABLE REGULATIONS

Appendix A. Section VI. C.[III] C-2 General commercial district— Retail sales:

- 1.Use Regulations:
- c. Special permit uses and structures include the following:
- (7) Plumbing shops.

AND:

Appendix A, Section IV. 9.: Review and evaluation criteria/special permit use and special exception use: The appropriate decision-making agent and/or body shall review and evaluate each application based upon the following relevant criteria:

- a. Comparison with applicable standards established by the Comprehensive Land Use Plan as applied to the proposed use and site.
- b. Compatibility with existing or permitted uses on abutting sites, in terms of building construction, site development, and transportation related features.
- c. Potentially unfavorable effects or impact on other existing conforming or permitted uses on abutting sites, to the extent such impacts exceed those impacts expected from a standard permitted use in the applicable zoning district.
- d. Safety and convenience of vehicular and pedestrian circulation in the vicinity, including traffic reasonably expected to be generated by the proposed use and other uses reasonable and anticipated in the area considering existing zoning and uses in the area.
- e. Protection of persons and property from erosion, flood or water damage, fire, noise, glare, and similar hazards or impacts.



- f. Adequacy and convenience of off-street parking and loading facilities and protection of adjacent property from glare of site lighting.
  - g. Conformity with the objectives of these regulations and the general purposes of the zone in which the site is located.
  - h. That any conditions applicable to approval are the minimum necessary to minimize potentially unfavorable impacts on nearby uses and to ensure compatibility of the proposed use with existing or permitted uses in the same district and the surrounding area.
- The above criteria listed in a—g is to be considered illustrative and not restrictive, and other criteria may be considered although not specifically listed above if said criteria affects [affect] the general welfare and safety of the public at large.

**ANALYSIS**

Applicant requests special permission to open a Medical Gas Installation and Service Company (Plumbing Shop) in a facility in a C-2 zoning district. The submitted site plan meets code requirements for a storage facility and office. Code requirements for a service or repair establishment depend on number of employees per work shift and size of company fleet. Applicant states the building will be used as an office and storage facility only.

The proposed plumbing shop, while not a typical neighborhood commercial establishment because of its specialty in Medical Gas Installation, does not conflict with the recommendation in the Future Land Use Plan. **Criteria a is met.**

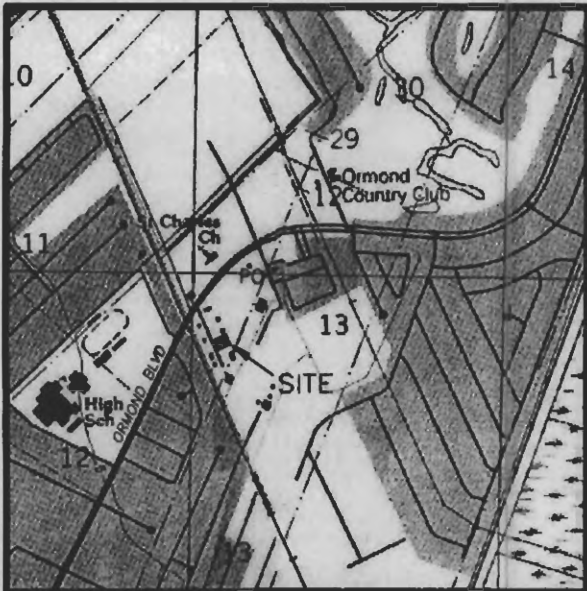
As a Plumbing Shop replacing an existing A/C shop, the proposed use should have similar impacts to the area. Because of the similarity to the business that has been in the building for the past 12 years, without issue, **criteria b, c, e, g and h are met.**

Storehouse Lane. is a short street with several service-oriented businesses that have large vehicle fleets. The convenience of vehicular traffic in the area, **criterion d is questionable**; however the area does have safe traffic flow.

Some work will have to be done to the site to address criteria f. Because some of the parking and loading areas associated with the existing building are aggregate rather than the required “permanent dust free paving,” **criteria f is not met.**

**DEPARTMENTAL RECOMMENDATION**

**Approval.**



Approved/Disapproved

*Michael B. Henderson*  
Director of Planning & Zoning

12-29-06

DATE

Approved/Disapproved

*Albert O. Legrand*  
Parish President

1-4-2007

DATE

Recorded in The Clerk of Court's office

St. Charles Parish on the 17 day of  
Jan. 2007, in Book 685

Folio 55, Entry # 326978

Signature

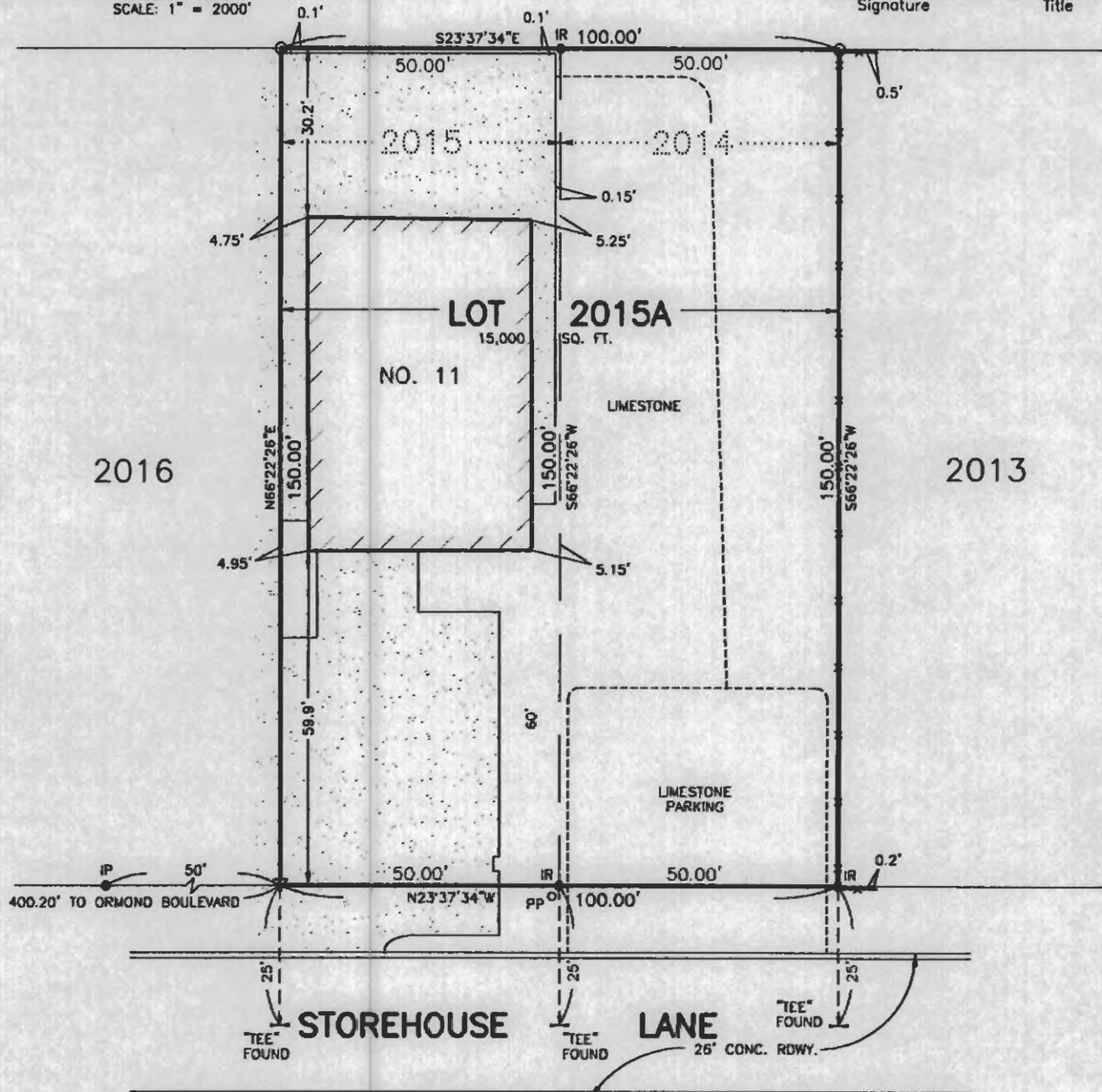
Title

VICINITY MAP  
SCALE: 1" = 2000'

Side

BOULEVARD

ORMOND



RESUBDIVISION OF LOTS 2014 & 2015  
ORMOND COUNTRY CLUB ESTATES  
COMMERCIAL AREA  
INTO LOT 2015A  
ST. CHARLES PARISH, LOUISIANA  
SCALE: 1" = 30' SEPTEMBER 22, 2006

LEGEND

- ▽ = MAG NAIL SET
- = FOUND
- = IR SET
- PP = POWER POLE
- = FENCE
- BEARINGS ARE BASED ON REFERENCE PLAN

CERTIFIED TO DAVID B. LAVIE AND ERIN DAVIS LAVIE,

REFERENCE PLAN:  
ORMOND COUNTRY CLUB ESTATES, COMMERCIAL  
AREA BY J. J. KREBS & SONS, INC., DATED JULY  
25, 1980

The subdivision plat shows no servitudes  
and no information regarding servitudes  
was furnished by the owner or his agent.  
No further research regarding servitudes  
was performed for this survey.

This is to certify that I have consulted  
the Flood Insurance Rate Maps and found  
that this property is in Zone AE.

I certify that this plat represents an actual  
ground survey performed under my supervision  
and is in accordance with the Louisiana  
standards of practice for a Class C survey.

*Lucien C. Gassen*  
LUCIEN C. GASSEN, PLS  
Registration No. 353  
LULING, LOUISIANA 70070





**PZSPU 2015-18**  
**Requested by Chad Worth**  
**SPU for Plumber Shop in C-2 zoning district**



St. Charles Parish  
Department of Planning & Zoning

LAND USE REPORT  
CASE NUMBER: PZS-2015-23

GENERAL APPLICATION INFORMATION

- ◆ Name/Address of Applicants

Terry & Josie Authement  
102 Angel Dr  
Boutte LA 70039  
985.758.2509

Property Owner

Salvador A Puglise  
213 Short St  
Boutte LA 70039  
985.758.7015  
[spuglise@bellsouth.net](mailto:spuglise@bellsouth.net)

Application Date: 7/7/15
- ◆ Location of Site:
- 200 Ruth St & 102 Angel Dr., Mosella
- ◆ Requested Action:
- Resubdivision of Parcel A (which includes original Lots 1, 2, 3, & 4, Blk. 11 and original Lots 10, 11 & 12, Blk. 14) Angel Park addition to Mosella Townsite Subdivision and original Lot 9, Blk. 14 into Lots A1, A2, 3A, 4A & 9B,.

SITE-SPECIFIC INFORMATION

- ◆ Size of Parcel:
- Approx. 147,946.8 square feet (Approx. 3.4 acres).
- ◆ Plan 2030 Recommendation:
- Consistent with the Future Land Use Map designation:  
*Commercial* for proposed Lots A1 & A2,  
*Low Density Residential* for Lots 3A, 4A, & 9B.
- ◆ Zoning and Land Use:
- Lots A1 & A2: C-3 zoning, agricultural land use;  
Lots 3A, 4A, & 9B: R-1A zoning & land use.
- ◆ Surrounding Land Uses and Zoning:
- C-3 zoning and land uses abut the Hwy 90 (north) and west sides of site;  
R-1A zoning & land uses abut east side of site;  
OL zoning and land uses abut the south side of site.
- ◆ Utilities:
- All utilities serve site
- ◆ Traffic Access:
- Ruth Street

APPLICABLE REGULATIONS

Subdivision Ordinance, Section II. Subdivision Procedure E. 4.

C. Minor Resubdivisions.

In instances where a net increase of five (5) or fewer lots is proposed by subdivision or resubdivision and no new or additional public improvements are required, no formal preliminary plat shall be required. However, the presented plan of resubdivision shall conform to requirements outlined in section II.C.3. of this section and shall have spaces provided for the signature of the Council Chairman and the Parish President. Approval requires a recommendation to the Council by the Planning & Zoning Commission, an ordinance by the Council, and certification by the Parish President. The proposal shall be in compliance with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations, as amended. This authority shall not exceed the limits herein.

Subdivision Ordinance, Section II. Subdivision Procedure, C. Minor Resubdivisions.

1. In instances where a net increase of five (5) or fewer lots is proposed by subdivision or resubdivision and no new or additional public improvements are required, no formal preliminary plat shall be required. However, the presented plan of resubdivision shall conform to requirements outlined in section II.C.3. of this section and shall have spaces provided for the signature of the Council Chairman and the Parish President. Approval requires a recommendation to the Council by the

Planning and Zoning Commission, an ordinance by the Council, and certification by the Parish President. The proposal shall be in compliance with all relevant land use regulations, including the St. Charles Parish Zoning Ordinance and Subdivision Regulations, as amended. This authority shall not exceed the limits herein. (Ord. No. 14-8-3, § I, 8-4-14)

**ANALYSIS**

The applicants seek to subdivide 5 lots in family ownership into 5 lots, with a waiver to the minimum 60-foot frontage width for proposed Lots A1 and A2. Because of the waiver requirement, approval of this application is not administrative, but requires a positive recommendation from the Planning Commission and Supporting Resolution from the Parish Council. The condition resulting in the impracticality for meeting this Subdivision Ordinance requirement stems from a previous council action to revoke the original undeveloped street right-of-way on which these two lots would front if not for the earlier revocation. Each lot will have 31.98 feet of hard surface frontage on Ruth Street. The applicants concluded instead of having a single servitude for passage and utilities that placing a property line down the middle of the right of way would likely avoid potential conflicts between future owners of each lot and that each can install their own private infrastructure. This also ensures that all parties will have equal access to and from interior lots through the entire right of way.

The other 3 lots meet or exceed the minimum frontage and all 5 lots well exceed the minimum area requirements and approval of this request is consistent with the Future Land Use Map designations of for *Commercial* for Lots A1 and A2, and *Low-density Residential* for Lots 3A, 4A and 9B.

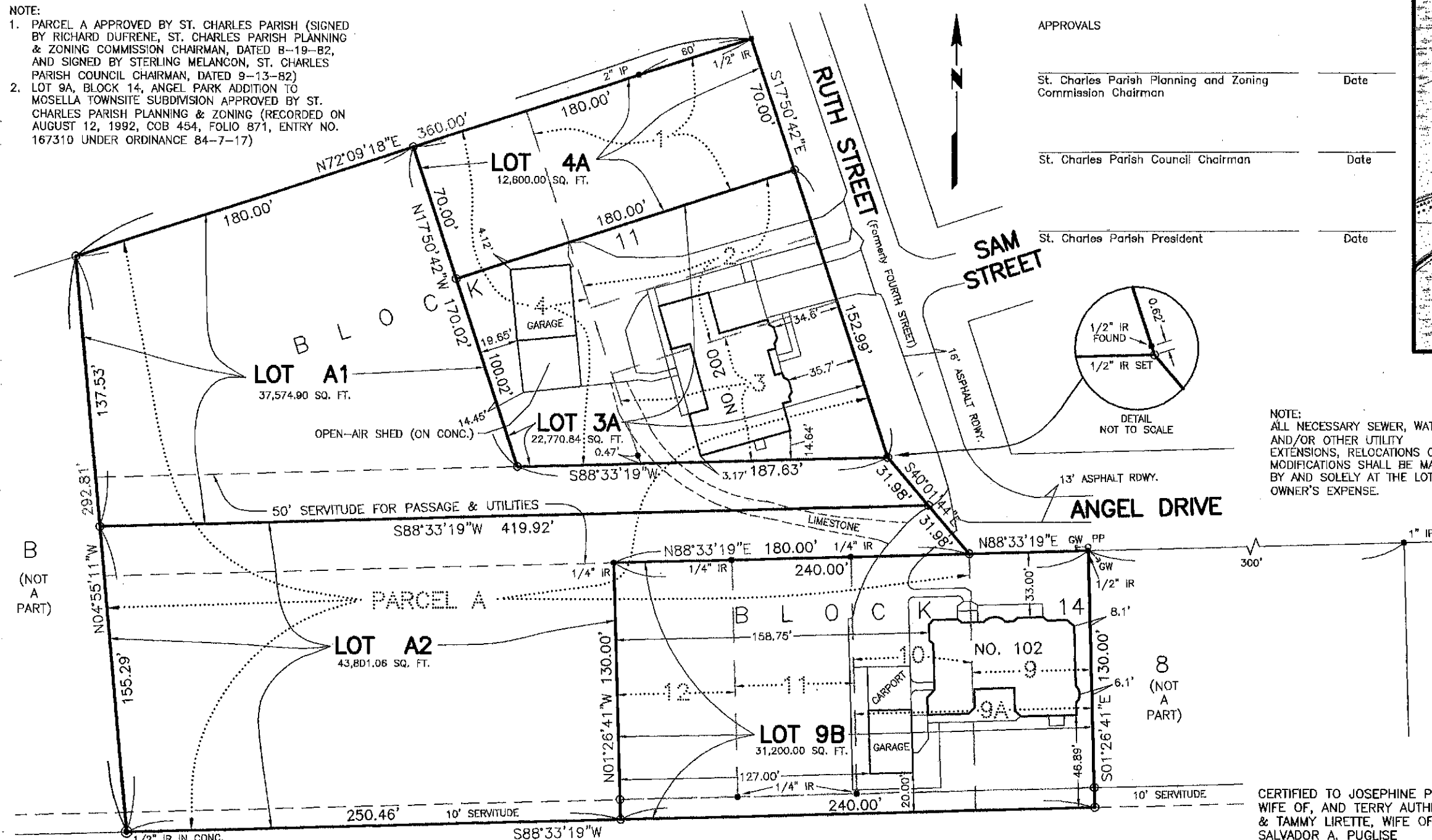
Although approval of this application requires a waiver for Lots A1 and A2, the fact that a servitude for passage and utilities extending from Ruth Street is indicated on the plat ensures that these lots will always have access from Ruth Street. Approval also eliminates split-zoning of the site as each lot will be situated in single zoning designations.

**DEPARTMENTAL RECOMMENDATION**

**Approval.**

NOTE:

1. PARCEL A APPROVED BY ST. CHARLES PARISH (SIGNED BY RICHARD DUFRENE, ST. CHARLES PARISH PLANNING & ZONING COMMISSION CHAIRMAN, DATED 8-19-82, AND SIGNED BY STERLING MELANCON, ST. CHARLES PARISH COUNCIL CHAIRMAN, DATED 9-13-82)
2. LOT 9A, BLOCK 14, ANGEL PARK ADDITION TO MOSELLA TOWNSITE SUBDIVISION APPROVED BY ST. CHARLES PARISH PLANNING & ZONING (RECORDED ON AUGUST 12, 1992, COB 454, FOLIO 871, ENTRY NO. 167310 UNDER ORDINANCE 84-7-17)



APPROVALS

St. Charles Parish Planning and Zoning  
Commission Chairman

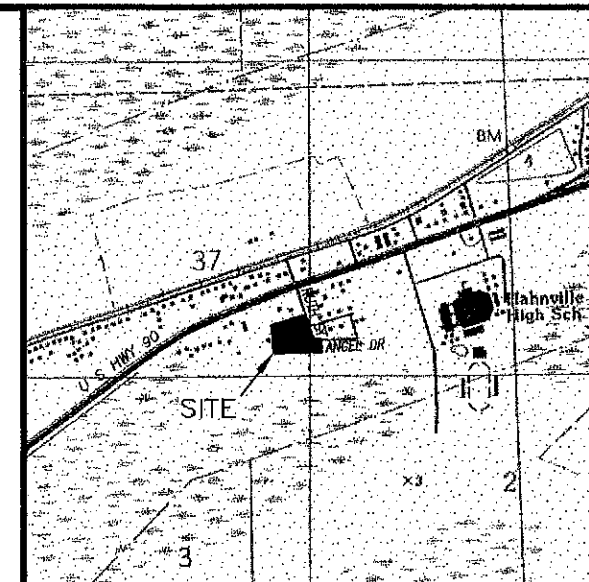
Date

St. Charles Parish Council Chairman

Date

St. Charles Parish President

Date



VICINITY MAP  
SCALE: 1" = 2000'

NOTE:  
ALL NECESSARY SEWER, WATER  
AND/OR OTHER UTILITY  
EXTENSIONS, RELOCATIONS OR  
MODIFICATIONS SHALL BE MADE  
BY AND SOLELY AT THE LOT  
OWNER'S EXPENSE.

Recorded in The Clerk of Court's office

St. Charles Parish on the \_\_\_\_ day of

\_\_\_\_\_, in Book \_\_\_\_\_

Folio \_\_\_\_\_, Entry # \_\_\_\_\_

Signature

Title

LEGEND

- = 1/2" IRON ROD IN CONC. FOUND
- = FOUND
- = 1/2" IRON ROD SET
- IP = IRON PIPE
- IR = IRON ROD
- GW = GUY WIRE
- PP = POWER POLE

BEARINGS SHOWN HEREON ARE BASED  
ON THE LOUISIANA STATE PLANE  
COORDINATE SYSTEM, SOUTH ZONE,  
NAD83 (2011) ESTABLISHED BY USING  
LOUISIANA STATE UNIVERSITY'S C4G  
REAL TIME NETWORK.

CERTIFIED TO JOSEPHINE P. AUTHEMENT,  
WIFE OF, AND TERRY AUTHEMENT  
& TAMMY LIRETTE, WIFE OF, AND  
SALVADOR A. PUGLISE

REFERENCE PLANS:

1. ANGEL PARK ADDITION TO MOSELLA TOWNSITE SUBDIVISION BY E. M. COLLIER, DATED JUNE 3, 1983
2. RESUBDIVISION OF LOTS 1 THROUGH 9, BLOCK 11, LOTS 10 THROUGH 18, BLOCK 14, A PORTION OF ANGEL DRIVE AND THE REMAINDER OF ANGEL PARK, WEST OF LOT 9 AND 18, AND THE DEAD END OF ANGEL DRIVE INTO PARCEL A AND A PORTION OF PARCEL B BY LUCIEN C. GASSEN, DATED MAY 25, 1982
3. RESUBDIVISION OF LOTS 1 THROUGH 8 OF A SUBDIVISION OF A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, T14S-R20E AND A PORTION OF LOT 8 AND ALL OF LOT 9 A PORTION OF LOT 17 AND ALL OF LOT 18 AND THE REMAINDER OF ANGEL PARK SUBDIVISION, WEST OF LOT 9, BLOCK 11, LOT 18, BLOCK 14 AND THE DEAD END OF ANGEL DRIVE INTO PARCEL B AND LOTS 2A THROUGH 8A BY LUCIEN C. GASSEN, DATED MAY 25, 1982
4. RESUBDIVISION OF LOTS 9 & 10, BLOCK 14 ANGEL PARK ADDITION TO MOSELLA TOWNSITE SUBDIVISION INTO LOT 9A BY LUCIEN C. GASSEN, DATED AUGUST 5, 1992

The servitudes shown on this survey are limited to those set forth per reference plans and per information furnished by the owner or his agent and there is no representation that all applicable servitudes are shown hereon. No title search or public record search was made in compiling data for this survey.

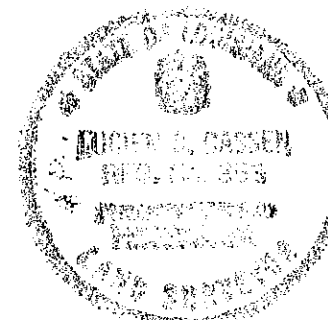
This is to certify that I have consulted the Flood Insurance Rate Maps and found that this property is in Zone AE.

RESUBDIVISION OF PARCEL A  
(WHICH INCLUDES ORIGINAL LOTS 1, 2, 3 & 4, BLOCK 11  
AND ORIGINAL LOTS 10, 11 & 12, BLOCK 14)

ANGEL PARK  
ADDITION TO MOSELLA TOWNSITE SUBDIVISION  
AND ORIGINAL LOT 9, BLOCK 14  
INTO LOTS A1, A2, 3A, 4A & 9B  
IN SECTIONS 2 & 3, T14S - R20E  
ST. CHARLES PARISH, LOUISIANA

SCALE: 1" = 60'

JUNE 26, 2015



I certify that this plat represents an actual ground survey performed under my supervision and is in accordance with the Louisiana standards of practice for a Class C survey.

*Lucien C. Gassen*  
LUCIEN C. GASSEN, PLS  
Registration No. 353  
(985) 785-0745  
1026 Gassen Street  
Luling, Louisiana 70070







PZS-2015-29  
Requested by:  
Terry & Josie Authement &  
Salvador Puglise  
Resubdivision into Lots A1, A2,  
3A, 4A, and 9B

